

Compliance Assessment Report

Report ID:
CAR_NRW0036393

This form will report compliance with your permit as determined by an NRW officer

Site	Neath Abbey Wharf	Permit Ref	UP3898FQ			
Operator/Permit holder	Sims Group U K Ltd					
Regime	Waste Operations					
Date of assessment	18/02/2020	Time in	11:35	Out	12:10	
Assessment type	Audit					
Parts of the permit assessed	General site inspection					
Lead officer's name	Wakeford, Sally					
Accompanied by	Kinthead, James					
Recipient's name/position	Richard Morgan/ Manager	Date issued	25/02/2020			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	2.4.2
D1 - Incident Management - Site security	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Waste Regulation Officers Sally Wakeford and James Kinhead of Natural Resources Wales (NRW) carried out a routine site inspection of Sims Metal Management, Neath Abbey Warf on 18/02/2020. This was an unannounced inspection to assess compliance with permit EPR-UP3898FQ.

Heavy rainfall was experienced by the site on the day and the days prior to the visit.

NRW officers were met by Richard Morgan on site who accompanied Officers on a site tour.

Waste Storage.

Waste storage on site was generally good, with all mixed metal waste being sorted and stored on the impermeable surface served by the sites two interceptors.

A large amount of WEEE waste however is being stored in a segregated bay on the concrete pad section near the wharf (**image 1**). As described in your EMS document **section 2.2 Operations**, and in **section 2.4.2** of your permit – you must store WEEE waste in line with the WEEE Directive, Annex III paragraph 1. This states that WEEE must be stored with a weatherproof covering. You are not currently compliant with this requirement. **This will be scored with a category 3 rating under section C4 – storage, handling, labelling and segregation.**



Image 1: WEEE storage at wharf.

Separate labelled containers for water, oil, brake fluid and shock absorber fluid were observed in the ELV depollution area (**images 2**). Please ensure that no hazardous waste liquids are mixed together.



Image 2: depollution waste storage

containers.

Site Infrastructure.

Richard explained that the concrete pad in the north-west corner of the yard near the waste tyre container is due to be extended/improved.

Richard showed NRW officers evidence of the maintenance work and cleaning of the interceptor system in 2018, and explained that it had been checked again October 2019. He explained that a further inspection would occur in summer 2020. The outlet for the site drainage system was also checked with no obvious signs of oil contamination or discolouration (**image 3**).



Image 3 : drainage outlet by wharf side.

Additional Observations.

A large deposit of steelworks shot blast is being stored on site (**image 4**). Richard explained that the removal of this waste would be brought up in a company meeting due to take place soon, and that a WAC test would be carried out on the material to establish where the waste could be accepted. **Action: please inform NRW of when this waste will be removed, what waste code it has been assigned, the WAC test result and the destination of the waste when able to do so.**



Image 4: Shot blast waste.

CCTV was observed in operation on site. Richard explained that an updated CCTV system would be installed for the site once improved internet infrastructure was installed on site.

No additional non-compliances were noted on site. NRW would like to thank Richard for taking the time to accompany us on this visit.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

EPR Compliance Assessment Report

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Operator/Permit holder	Sims Group U K Ltd	Date	18/02/2020

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C4	C3	WEEE must be stored with a weatherproof covering. Please ensure this waste is stored appropriately.	20/04/2020

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.