

Compliance Assessment Report

Report ID:
CAR_NRW0034601

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

Site	Abertawe Metals Ltd Transfer Station	Permit Ref	HB3490HK		
Operator/Permit holder	Abertawe Metal Recycling Limited				
Regime	Waste Operations				
Date of assessment	05/02/2019	Time in	12:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Operational area				
Lead officer's name	Bacon-Weekes, Liane				
Accompanied by	Davies, Carwyn,Davies, Ieuan				
Recipient's name/position	James Larnier/ TCM	Date issued	11/02/2019		

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
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	C3	2.2.1 (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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

This site inspection was conducted on the 5th February 2019 by Liane Bacon-Weekes and accompanied by officers Ieuan Davies and Carwyn Davies. It was an unannounced inspection to follow up from the fire incident which occurred early hours 4th February 2019. We were met on site by Mr James Larner (TCM)

I am pleased to see that the fire had only a minor impact on site and that operations were able to resume as normal soon after the incident.

During the visit, I discussed with James Larner the findings of the previous inspection on the 18th December 2019 (Report ID: CAR_NRW0034596). It was agreed that the drain in front of the building would be closed off until a drainage survey had confirmed it was connected to the foul drainage system. It was also agreed that vehicles would no longer be de-polluted on the Dyffryn Close area.

Waste Acceptance

Whilst we were onsite, two skips containing electrical components (motherboards/circuit boards) were found in the Dyffryn Close area. Electrical waste or components are not permitted to be accepted under the permit and accepting this waste is a breach of permit condition 2.2.1. It is highly likely this waste is hazardous as motherboards and circuits can contain hazardous compounds and metals. Only once it has been demonstrated to be non-hazardous, can it be treated as such.

The above have been scored as a CCS 3 breach of permit condition 2.2.1 under C3 Waste Acceptance

ACTION: The waste must be removed from site and sent to a waste facility that is permitted to accept it. The EWC code for motherboards/electronic components is EWC 16 02 15* (Hazardous components removed from discarded equipment), unless you can demonstrate that they are not hazardous.

This waste must be removed from site using a Hazardous Waste Transfer note. Please send a copy of the Hazardous Waste Consignment note to NRW once the waste has been removed.

When scoring a non-compliance, we must also consider the root cause of the breach as this will identify the underlying cause of the non-compliance. Often the root cause of a permit breach is poor management or failure to operate the facility in line with management systems

and plans.

The protective waste acceptance measures listed in the Environmental Management System (EMS) had not been followed, allowing non-permitted waste to be accepted.

The above have been scored as a CCS 3 breach of permit condition 1.1.1 under C2 Management Systems.

ACTION: Review the waste acceptance procedure in the EMS and ensure that ALL staff are aware of which wastes are permitted and not permitted onsite.

Duty of Care

When asked, James Larner was unable to provide details on where the electrical components as the Duty of Care paperwork was with the Accountant.

ACTION: As requested in my email dated 6th February 2019, please send me a copy of the duty of care paperwork that accompanied the waste and provide details on where the waste originated. Please provide this information by 20th February 2019.

If you have any queries with regards to this CAR form, please do not hesitate to contact me.

EPR Compliance Assessment Report

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Site	Abertawe Metals Ltd Transfer Station	Permit Ref	HB3490HK
Operator/Permit holder	Abertawe Metal Recycling Limited	Date	05/02/2019

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
C3	C3	Remove non permitted wastes	01/03/2019
C2	C3	Review the waste acceptance procedure in the EMS and ensure that all staff are aware of which wastes are permitted and not permitted onsite.	01/03/2019

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.