

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 | 18/12/2018 | Time in | 11:00 | Out | 12:00 |
| Assessment type | Audit | | | | |
| Parts of the permit assessed | Operational area | | | | |
| Lead officer's name | Bacon-Weekes, Liane | | | | |
| Accompanied by | | | | | |
| Recipient's name/position | James Larnar / TCM | Date issued | 08/02/2019 | | |

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 |
|--|--------------|-----------------------|
| A1 - Specified by permit | A | |
| B3 - Infrastructure - Site drainage engineering (clean and foul) | C2 | 2.3.1 |
| C2 - General Management - Management system and operating procedures | C2 | 1.1.1, 1.1.2 |

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) | 62 |
|------------------------------------|----------|---|-----------|

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 18th December 2018 by Liane Bacon-Weekes. It was an unannounced inspection and the TCM (James Larner) and the Manager (Richard Williams) were not present at the time of the inspection. The focus of the inspection was to review the permit and management systems and to undertake a general site inspection.

Depollution bay (Inside building)

No cars were being treated at the time of the inspection and I was unable to go through the depollution process and subsequent waste collection and disposal. This will be picked up and focussed on during my next inspection.

It was noted that the concrete surface was quite contaminated with oil. Please ensure that any spills are appropriately cleaned up and measures listed in the Environmental Management System (EMS) are followed.



Outside yard

It was raining heavily at the time of the inspection and a large amount of pooled water was present on the yard. A blocked drain could mean that rainwater containing sediment and other contaminants could enter surface water courses. Please ensure your site drainage is free from blockages.



It was also noted that yard water, contaminated with oils and fuel was entering a drain outside the building (photo below). Having reviewed your drainage plan submitted to NRM, this drain does not connect to the onsite sealed drainage system. Condition 2.3.1 of your permit states that, other than certain specified wastes, all wastes must be stored and treated on an impermeable pavement with a sealed drainage system. Allowing water to escape from an area where damaged and partially depolluted vehicles are stored, other than through the sealed drainage system, is a breach of the permit condition.



During the inspection it was evident that vehicles were being depolluted on the Dyffryn Close road, outside the main permitted area (photos below).





Oil was present on the road and had entered the drains alongside the kerb and from the drainage plans submitted to NRW, there are no foul drains in this area. Drainage maps held by NRW show that these drains might be connected to the surface water system.

As stated above, condition 2.3.1 of your permit states that, other than certain specified wastes, all wastes must be stored and treated on an impermeable surface with a sealed drainage system. Allowing water to enter a drainage system that is not part of the sealed drainage system is a breach of the permit condition.

All permit non-compliances (except those relating to amenity) are categorised on their reasonably foreseeable impact on the environment. In this case it is reasonably foreseeable that, allowing contaminated run-off to enter a drain that is not connected to the sealed drainage system, could result in significant pollution to surface water courses and the environment.

The above have been scored as a CCS 2 breach of permit condition 2.3.1 under B3 Site Drainage and Engineering

ACTION: You must ensure that all wastes, other than those that are permitted not to be, are stored and treated on an impermeable surface connected to the sealed drainage system. You must not allow anything to enter these drains until it is confirmed that they enter the foul sewer via the interceptor. Please provide an up-dated drainage plan that highlights both sewer and surface water drain and connections by the 5th April 2019.

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 it is the result of failing to understand the requirements of the permit and/or failing to follow protective measures indicated in Management plans. During the inspection contaminated water was permitted to enter a drain, that is not shown on the drainage plan, and cannot be confirmed as going to the sealed drainage system.

Failing to have sufficient understanding of the site drainage and allowing contaminated water to enter drains that are not shown on the drainage plan has resulted in a CCS score 2 breach of permit condition 1.1.1 under C2 Management systems and operating procedures.

Tyres

There are a number of tyres stored outside and within the building. Please be mindful that your permit stipulates that no more that **25 tones** of intact waste tyres can be stored on site. I do not believe you have exceeded this limit just yet, but want to raise your awareness to the limitation within your permit.



I believe you are in the process of reducing the numbers of tyres on site, so please confirm when this has been completed.
If you have any queries with regards to this CAR form, please do not hesitate to contact me.
END.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034596**

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| Operator/Permit holder | Abertawe Metal Recycling Limited | Date | 18/12/2018 |

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 | | | |
| C2 | C2 | Up-date drainage plans | 05/04/2019 |
| B3 | C2 | Assess drainage on site and confirm if connected to foul or surface water system. | 05/04/2019 |

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.