

Compliance Assessment Report CAR_NRW0036974

Permit being assessed: EB3038RW.

For: Lelo Metal Recycling Ltd, held by Lelo Metal Recycling Ltd

At: Craig Lelo Works, Gwyddelwern, Corwen, Denbighshire, LL21 9SD.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 17/09/2020 between 11:00 and 12:30.

Parts of permit assessed: management system and operating procedures, hazardous waste, site security.

NRW Lead Officer: Steven White, accompanied by Boguslawa Pierzchala, Kathryn Bradshaw.

Report sent to: Gari Jones, manager on 29/09/2020.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
C2	Site EMS is in need of updating	31/12/2020

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

On Thursday the 17th of September 2020 officers Steven White, Boguslawa Pierzchala and Kathryn Bradshaw attended at Lelo metal recycling Ltd, Gwyddelwern, Corwen. This was a planned, announced visit

due to the current Covid19 restrictions.

Gari Jones, site director and TCM, was present during the inspection. Also at the site were Merfyn Jones and Matt Bellis who also accompanied officers throughout the inspection.

The site is still undergoing major improvements including concreting the entire yard, construction of extra bays, extending the perimeter wall, building new offices(which is almost complete) and ferrous/non-ferrous areas.



New non-ferrous and office building

Officers were shown the new weighing equipment in the non-ferrous building which links to a central recording system, there is also a fitted camera that records what is being weighed. Some batteries were stored inside but the majority of them were stored in a separate, covered building within weatherproof boxes.





Battery building and boxes

Site drainage and engineering

The depollution area was checked, there was one vehicle being worked on as officers inspected the site. (see attached photos). The depollution bay and surrounding area drains to a large (15-25k litre) interceptor, which is being emptied, serviced and cleaned on a regular basis; this was last deep-cleaned and emptied in 2019. Any further concreting of the yard would include a new separate interceptor system.



Vehicle depollution area and interceptor

Officers were then shown around the non-concreted area at the back of the site where various piles of waste were observed. The piles included oversize scrap metals, cables, lead, depolluted (and crushed) ELV, metal fines



Non-concreted area



In the separate yard at the far end of the site there were tyres were left behind by a dissolved company- GMR. The pile has decreased in size since the last visit but still estimated at ~50T of tyres left. The tyres still need to be removed as it is being stored close to the River Clwyd and in the event of fire it could cause a significant pollution risk to the air and to the watercourse from runoff.



Separate yard with tyres



There were several old tractors in this part of the site. They are being restored by Merfyn Jones for their original purpose and until the point at which they are discarded (or intended to be discarded) they are not classed as a waste.

There is good site security at Lelo with at least 14 CCTV cameras covering the site and a high perimeter fence.

Hazardous Waste and Waste Returns

Regarding the discussions that took place at the time of the site visit regarding lead acid batteries – 16 06 01. If these are part of the un-depolluted ELV's you receive onto site, they do not need to be listed separately on your waste returns under waste received.

They would be listed separately on the waste removed part of the spreadsheet when they are taken off site. If just batteries are being collected from different businesses, these would then be listed separately on the waste returns.

Consignee returns need to be submitted for these and provision of a consignment note for each collection in the format detailed below:

- Where the waste is collected from a registered producer the note number must be in the form

Premises Code followed by a set of five letters or numbers that are unique. (See <http://naturalresources.wales/apply-for-a-permit/waste/register-as-a-producer-of-hazardous-waste/?lang=en> for details of premises registration)

- If the waste is collected from an exempt producer then the note number must be in the form of EXE followed by eight letters or numbers that make the consignment note number unique

Guidance on reduced reporting requirements for certain types of waste which includes 16 06 01 batteries can be found below under the heading Regulatory Decisions, which will take you to the gov.uk site which explains further the reduced reporting requirements.

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/submit-your-hazardous-waste-return/?lang=en>

Gari Jones and Merfyn Jones are the current TCMs for Lelo - the WAMITAB certificates for both are up to date

Management System and operating procedures

The current Environment Management System (EMS) for the site is Version 1.2 dated 2004, with the improvements on site and changes in infrastructure this version is out of date and will need to be updated. This should be carried out along with the other improvements discussed on site (discussed further in separate correspondence) and will be followed up in future site inspections.

Thank you for your time during the visit

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.