

## Compliance Assessment Report CAR\_NRW0037084

**Permit being assessed:** AB3596CH.

For: Massey Metals Ltd, held by Massey Metals Ltd

At: River Lane, Saltney, Chester, CH4 8RH.

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

On 16/10/2020 between 12:35 and 13:00.

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

**NRW Lead Officer:** Steven White, accompanied by Boguslaw Pierzchala.

**Report sent to:** Darren Massey, manager on 03/11/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2
C3 - General Management - Materials acceptance	C4 No impact	2.3.2

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

Total number of non-compliances recorded	Total non-compliance score
2	0.2

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
G4	All missing waste returns must be submitted to NRW Action Required: The missing annual waste returns for 2017, 2018 and 2019 must be submitted to <a href="mailto:waste.returns@cyfoethnaturiolcymru.gov.uk">waste.returns@cyfoethnaturiolcymru.gov.uk</a> no later than 30th of November 2020. This has been scored against the permit as a CCS C4 breach.	30/11/2020
C3	Remove the items of WEEE and do not accept any more, or vary the permit to include the relevant waste codes.	30/11/2020

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.

**You are non-compliant with your permit.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

### 4. Details of our assessment

On Friday the 16<sup>th</sup> of October 2020 waste regulation officers Steve White and Boguslaw Pierzchala attended the site. Police officer Eryl Lloyd was also present during the inspection.

This was an announced inspection due to the current Covid 19 restrictions to ensure safety of all people involved.

Site manager Darren Massey was present during the inspection. The site is surrounded by walls and the yard is fully concreted. There is a large interceptor being maintained by Oil Monster.

There is a small number of cars being de-polluted on site. Please ensure the capacity of the interceptor is being checked on a regular basis.

You must ensure that the interceptor has capacity to contain any large spills or potential large amounts of water (e.g. firefighting runoff).



Depolluted ELV

Schedule 5 of the ELV Regs 2003 states that sites are "provided with storage facilities that are appropriate for dismantled spare parts, including impermeable storage facilities for spare parts that are contaminated with oil"

There was a number of de-polluted engines stored in the yard, the yard is fully concreted and would therefore be classed as impermeable. However, it is advised that the engines and oily parts will require a suitable storage container or cover which should be weatherproof to ensure the minimal amount of rain ingress and subsequent contaminated

runoff.



Depolluted engines and oily parts with no covering

A couple of washing machines were observed in the yard (please see the photo below). In order to accept WEEE your permit should be varied to include such EWC codes as 20 01 35 or 20 01 36 or 16 02 which refer to WEEE and wastes from electrical and electronic equipment. Until the relevant EWC codes have been added to your permit you should not accept any WEEE onto site.

This was pointed out during an inspection in November 2017 and therefore is a breach of the site permit. In order to accept, store and treat WEEE on site you will need to comply with the WEEE Directive and vary your permit to accept this waste stream. This has been scored against the site permit as a CCS C4 breach, this will be reviewed if any follow-up inspections show this waste type still being accepted.



WEEE waste on site



There was one car in the depollution area, this was not being worked on at the time of the visit.



Depollution area

Lead and batteries were correctly being stored indoors



lead storage

Waste returns were checked for the site - there are no waste returns on our database for Massey Metals since the permit was issued in October 2017. This was raised during the last site visit in July 2019 and when the last check was conducted with a CAR form sent in May 2020.

Condition 4.2.2 of your permit requires you to submit within one month of the end of each year, a summary of waste quantities and types accepted on to and removed from site during the previous year.

Action Required: The missing annual returns for 2017, 2018 and 2019 must be submitted to [waste.returns@cyfoethnatriolcymru.gov.uk](mailto:waste.returns@cyfoethnatriolcymru.gov.uk) no later than 30th of November 2020. This has been

scored against the permit as a CCS C4 breach.

Thank you for your time during the inspection, please find my contact details below.

Regards

**Steven White**

**Senior Environment Officer (NE Waste Regulation Team)**

Email: [steven.white@naturalresourceswales.gov.uk](mailto:steven.white@naturalresourceswales.gov.uk)

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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

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](mailto: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](mailto: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.