

Compliance Assessment Report

Report ID:
CAR_NRW0033860

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

Site	European Metal Recycling Ltd	Permit Ref	FP3094VP		
Operator/Permit holder	European Metal Recycling Ltd				
Regime	Waste Operations				
Date of assessment	17/08/2018	Time in	11:00	Out	12:15
Assessment type	Site Inspection				
Parts of the permit assessed	Management, infrastructure & paperwork				
Lead officer's name	Dearle, Nessa				
Accompanied by					
Recipient's name/position	Nicola Rushton/ Site manager	Date issued	29/08/2018		

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
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Environment officer Nessa Dearle completed an inspection of your site, to assess compliances with your waste permits/exemptions. I was shown around site by manager Nicola Rushton.

Thank you for taking the time to show me around site. The site appeared well managed at the time of inspection, however, some issues with site infrastructure and storage of specific waste types was detected.

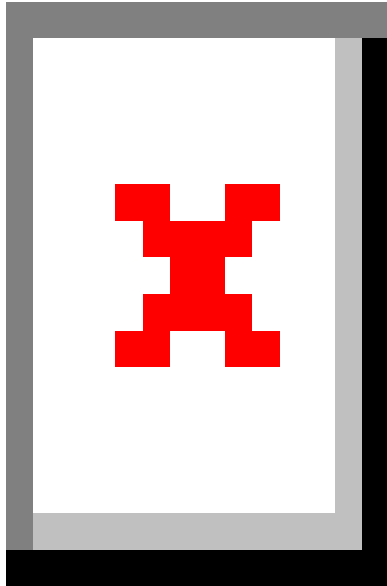
Permits

From the walkthrough of the site, it was noted that specific areas of impermeable surface required maintenance. The impermeable surface was rutted and contained large holes that were allowing water to gather. Areas of standing water could be seen throughout the site, suggesting that the surface may not be functioning effectively.

Your permits outlines that contaminated wastes must be stored on an impermeable surface, while uncontaminated materials may be stored on hardstanding or an impermeable surface. On site, you advised that materials that were being stored on areas of damaged impermeable surface would need to be tested for contamination prior to further treatment or onward transfer, as such these materials cannot be classed as uncontaminated. For this reason, these materials should be stored on an adequately maintained impermeable surface.

Your environmental management system (EMS) also outlines that all site surfaces will be checked monthly, to monitor damage to the surface. As such NRW requests that maintenance work be completed on this impermeable surface, to ensure that the integrity of the system is not compromised. Please also ensure that the condition of your impermeable surface is also checked regularly to ensure that damages can be detected, in line with your EMS. Your impermeable surface should be maintained so that it remains even, and free from cracks and rutting.

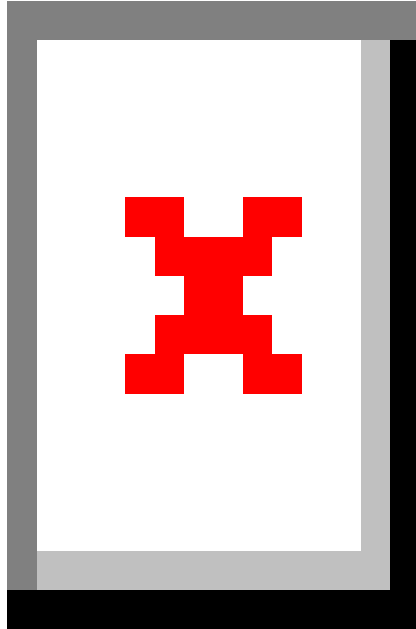
No breach has been scored on this occasion. However, if maintenance is not completed this may be breached on future visits.



Exemptions

As discussed on site and outlined in your fire plan, the exemptions that you should have registered on site include a T4, S2 and T9 exemption. I have checked our exemption register and currently only an S2 exemption is registered on our register, which expires in 2020. As such please provide proof of your T4 and T9 exemptions if they are still in use on site. Alternatively, if they are not currently in use on site please renew these if you intend to start completing operations under these exemptions again in the future.

In line with your S2 exemption, hazardous WEEE or WEEE intended for reuse must be stored under cover and on an impermeable surface. Please confirm that none of the types of WEEE stored on site fall into these categories. If your WEEE storage area does contain these categories of WEEE a weatherproof covering must be put in place on site. The impermeable surface surrounding this area also had areas of damaged concrete that would not currently meet the requirements for the storage of hazardous WEEE under this exemption. The concrete in this section of storage should also be repaired and maintained.



Thank you for supplying an updated WAMITAB certificate for your sites technically competent manager, Martin Crossman. If you have any queries in relation this form or your permit, please do not hesitate to contact me on the details below.

Nessa Dearle

03000653352

nessa.dearle@naturalresourceswales.gov.uk

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EPR Compliance Assessment Report

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CAR_NRW0033860**

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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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			

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.