

Compliance Assessment Report CAR_NRW0038721

Permit being assessed: FP3094VP.

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

At: Dowlais Wharf, Cardiff, Glamorgan, CF10 5ED.

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

On 17/12/2020 between 10:30 and 11:30.

Parts of permit assessed: Management and infrastructure

NRW Lead Officer: Loku Ranasinghe, accompanied by David Warwick-Brown, Gillian Coates.

Report sent to: David Rowlands, Regional SHE Manager on 13/09/2021.

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	C3 Minor	1.1.1
D2 - Incident Management - Accidents, emergency and incident planning	Action only (X)	
A1 - Specified by permit	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
1	4

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	Repair and Maintain the impermeable surface	31/10/2021
D2	Pending the scrutiny of your latest FPMP by NRW, it is advised that you comply with the NRW FPMP Guidance and / or the last approved FPMP applying the stricter of the requirements in these documents. Please also forward the latest version of the FPMP to NRW.	22/03/2021
A1	Please provide written confirmation of the process producing the soils i.e. what type of wastes were these associated with and under what EWC code this is sent off, if as a waste.	22/03/2021

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

Comments - Metals – Permit FP3094VP (please separate CAR form for Permit ZP3795FD comments)

Date – 17/12/20

Weather- sunny, cold and dry.

Officers David Warwick-Brown, Gillian Coates and Loku Ranasinghe attended site and met James Cross-TCM and Daniel Latner – Site Manager

This was an announced visit and introductions were made as Loku Ranasinghe is the new Site Regulator.

Management and infrastructure were the main points covered by the site visit.
Thank you for your time during the site visit.

General Observations

This is a feeder site that local tradespeople would bring small amounts of metals which the site would then bulk up and then send off to a site in Bristol for processing.

Observed various equipment used in metals processing including the large shear near the boundary fence.

Site has 3 Interceptors. 2 cleans a year- 1 skim and 1 deep clean. Staff mentioned only done one this year. Asked for and received record of this via email (see documents section below)

WEEE waste

Staff informed us that they are not processing these, only storage. I have checked the permit and previous CAR Forms and according to **CAR_NRW0035147** it was clarified that the site is allowed to store WEEE under an S2 Exemptions. I have checked this against our records and can confirm the current S2 Exemption [NRW-WME054502](#) exists for the site.

Breaches - Permit FP3094VP

(c2) Management system– Category 3 - Condition 1.1.1

We have noted that there are various parts of the yard that have cracks on them. There is liquid which we assume to be rainwater pooling in the cracked areas.

We were informed that these are budgeted to be fixed in the coming year. We also noticed that there are metal sheets placed on the ground at various places in the yard, which appear to be covering further cracked areas.



There appears to be contamination in the form of oil mixed with rainwater remaining in the yard nearest to a pile called “frag-feed” which contains metal from mixed sources including depolluted vehicles. We believe the oil leakage is quite likely to have come from that. This particular oil leakage was local to this pile. However we did observe other areas that seem to have an accumulation of liquid with an oily sheen on top (see 2nd photo below)





The current approved EMS we have on file for your site (V.4 dated April 2013) states that - All storage and treatment of scrap metal including end of life vehicles prior to processing will be undertaken on an impermeable surface... The impervious surfaces will be maintained to prevent fluids running off to un-surfaced areas, and to prevent the transmission of fluids through the pavement or its construction joints.

CAR_NRW0035147 from April 2019 mentions this issue and has marked it for Action. Having had a look through the file I note that this issue has been brought to your attentions on several CAR forms since 2016.

Therefore on this occasion this is marked as a breach of your permit.

Action- Repair and maintain the impermeable surface by 31st October 2021.

Action Only

Metals Stockpile heights- FPMP

We have observed several stockpiles (See photo) higher than 4m. James mentioned that

the height allowed is 6m and that site challenged this with the previous site regulator Alex Bowder as well. I have since checked the submitted (draft) FPMP of July 2018 which does mention heights in excess of 4 m for certain waste piles.

I note that CAR_NRW0035631 refers to a June 2019 version of the FPMP and plans to evaluate this. However, I have so far been unable to find this on file.

Action- Pending the scrutiny of your latest FPMP by NRW, it is advised that you comply with the NRW FPMP Guidance and / or the last approved FPMP applying the stricter of the requirements in these documents. Please also forward the latest version of the FPMP to NRW.



Fire risk from Metal Swarf /turnings -

Discussed the incident with staff. They were not aware of any specific recommendations from FRS from that incident. The metal swarf is balled up, so not very small and we saw a JCB moving these.

Site has a 30K L tank of water for firefighting.

Storage of Soils

There are a few stockpiles of soil we observed which we understand comes from screening some of the mud- laden mixed wastes you get from customers. We understand that the soil gets sold onwards.



Action- Please provide written confirmation of the process producing this i.e. what type of wastes were these associated with and under what EWC code this is sent off, if as a waste.

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Documents

TCM

James Cross is TCM. Checked current certification on our files.

Waste Returns

It appeared from a check on our files that the waste returns for both permits ZP3795- ELV and FP3094VP- were last done in 2017 .

While on site I was informed that this was challenged before with previous Site Regulators. He has been told by colleagues they have submitted returns as required. I asked for and since received proof from David that the site has indeed submitted waste returns annually. This proof consists of the emails sent to NRW rather than the automatically generated acknowledgement. This leads me to believe that the emails containing the Waste Returns may have been blocked by NRW's IT systems (as happened to David's latest email to me)

Interceptor Cleaning

received record of this via email on 01/02/21 from David Rowlands who provided the Consignment Notes for cleans in 2019 (16/07 and 17/07) and 2020 (14/10) .

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.