

Compliance Assessment Report CAR_NRW0038791

Permit being assessed: AP3798FB.

For: E.J. Metals Recycling Ltd, held by EJ METALS RECYCLING LTD

At: Creuddyn Bridge, Lampeter, Ceredigion, SA48 8BA.

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

On 30/09/2021 between 11:00 and 12:00.

Parts of permit assessed: See criteria listed below

NRW Lead Officer: Ffion Quan, accompanied by Malcolm Dines.

Report sent to: Evan Jones, Owner/operator on 14/10/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.1.1
C2 - General Management - Management system and operating procedures	C3 Minor	Condition A as set out in Paragraph 1(1) of Part 3 of Schedule 9 of The Environmental Permitting Regulations 2016
D2 - Incident Management - Accidents, emergency and incident planning	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
2	8

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
C4	Continue to depollute ELVs to ensure enough space for the un-depolluted ELVs currently stored on hardstanding ground to be moved on to the impermeable surface area. To be done with immediate effect.	14/10/2021

Criteria	Action needed	Complete by
C2	Ensure that the site is operated in accordance with the EMS that all ELVs on site are stored on impermeable surface with sealed drainage. Please submit your updated EMS to NRW.	06/12/2021
D2	Please organise for the FRS to visit and assess the fire risk on site. Include the liaison with FRS as a part of your EMS.	06/12/2021

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

A follow up site inspection subsequent to CAR_NRW0038441 was undertaken by Natural Resources Wales officer Ffion Quan accompanied by Malcolm Dines. Officers on site were met by Evan Jones the owner/operator and Technically Competent Managers Paul Hamill and Pete Jones.

The weather throughout the visit was dull and wet. The site was operational at the time of the visit.

Outstanding Actions from CAR_NRW0038441

- 1) TCM / Waste Returns
- 2) Waste Storage
- 4) Environment Management System
- 3) Site Staffing

Technically Competent Manager

During our previous site inspection, you did not have a Technically Competent Manager (TCM). You paid for a third party to qualify and complete a relevant WAMITAB course but once that person qualified they went to work elsewhere. Following the action required to

have a suitably qualified person to act as the TCM at your site for at least 8 hours a month in CAR_NRW0038441, you have hired two qualified Technically Competent Managers, Paul Hamill and Pete Jones, where they will be acting as TCMs for EJ Metals Recycling for the foreseeable. Peter Jones' Continuing Competence Certificate will expire on 30/09/2022 and Paul Hamill's Continuing Competence Certificate will expire on 20/04/2023. You are also still in the process of undertaking the WAMITAB course yourself.

Since you have been working with both TCMs, considerable progress has been made.

Waste Returns

You did not previously submit the waste returns for financial years 2019-20 and 2020-21. Since the previous CAR form, CAR_NRW0038441, you have correctly completed and submitted both waste returns. Please continue to submit your waste return every financial year as they are an important part of demonstrating compliance with your permit. Please find an attachment to our latest version of the waste return template included in the CAR.

Waste Storage - (C4) Storage, handling, labelling and segregation - CCS Cat 3; Permit Condition 2.1.1 - ELVs stored on unmade ground

Excellent progress has been made throughout the site since NRW last visited in May regarding waste storage. The amount of un-depolluted ELV's stored on hardstanding ground has considerably lowered especially around the area near entrance of the permitted section of the site. The waste around the site is also managed and stored in an organised and tidy manner.

As noted on previous CAR_NRW0038441, it was no longer possible to assess all vehicles on site that you have accepted to determine whether they were suitable for being put back on the road therefore, it was agreed that all vehicles on site would be depolluted. You also had the requirement to identify, document and produce a risk-rating for all ELV's stored on unmade ground at the site. Subsequent to the previous CAR, you now categorise the vehicles as soon as they are accepted on site with a risk-rating from 1-3. The categorisation of 1 signifies that the vehicle is high risk and therefore requires to be depolluted at the earliest opportunity, 2 is required to be depolluted but are low/medium risk and category 3 vehicles are not considered as waste and can be sold / can get back on the road. The category 3 vehicles were stored away from all other ELVs as requested in the previous CAR.

This risk rating is certainly working very well, showing clear organisation for the site with the amount of un-depolluted ELVs being significantly less. Despite the progress, some un-depolluted risk-rated 2 ELVs are still stored on unmade ground, as seen in the photograph below. This is a breach of Permit Condition 2.1.1 therefore, please continue to depollute all ELVs on site to ensure space on the impermeable pavement area for all ELVs stored on hardstanding ground.



FRS Access

You had the requirement to clear enough ELVs from the unmade area of the site to ensure that there is a clear 5 metre wide access route around the site that will allow the Fire and Rescue Service to fight a fire in any part of the site.

During the inspection, we could clearly see that there is now an access route for the FRS around the site, compared to our site visit in May. It is not the 5 metre gap we required however, it does appear sufficient to get a vehicle around the site. As seen in the photograph below, you can see an access track but due to the fuel crisis and the lack of drivers, the bulked up aluminium was stored in this area as there was a delay removing it from site.



Please request that the FRS visit the site and highlight any concerns to the operator regarding fire risk and include the liaison with the FRS as a part of your EMS by 06/12/2021

Environment Management System - (C2) Management system and operating procedures - CCS Cat 3; Condition A as set out in Paragraph 1(1) of Part 3 of Schedule 9 of the EPR 2016.

Please continue to ensure that your site is operated in accordance with your Environmental Management System. This document is currently not being complied with due to the non-compliance on site regarding un-depolluted vehicles being stored on hardstanding ground. Please submit your updated Environmental Management System to NRW by 06/12/2021.

Site Staffing

The amount of suitably trained staff on site has previously been a significant concern. You have previously been operating with a minimal number of staff, especially over the COVID-19 pandemic. Since NRW last visited, you now have two full time members of staff trained to de-pollute ELVs which is critical for the through-flow of waste at the site. The recruitment of two full time trained de-polluters has already proven beneficial for the progress of the site.

NRW are considerably pleased with the work that has been carried out at EJMR over the last few months and we look forward to seeing continued improvements at the site.

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 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.