

Compliance Assessment Report

Report ID:
CAR_NRW0035452

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

Site	Massey Metals Ltd	Permit Ref	AB3596CH			
Operator/Permit holder	Massey Metals Ltd					
Regime	Waste Operations					
Date of assessment	28/06/2019	Time in	10:00	Out	10:45	
Assessment type	Site Inspection					
Parts of the permit assessed	Specified by Permit; Containment of stored materials; Management System and Operatin procedures; Storage, handling labelling and segregation; Site security; Accident emergency and incident planning; Reporting and notification					
Lead officer's name	White, Steven					
Accompanied by						
Recipient's name/position	Darren Massey/ Director	Date issued	26/07/2019			

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
A1 - Specified by permit	C4	3.3.1
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
D2 - Incident Management - Accidents, emergency and incident planning	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	2	Total compliance score (see section 5 for scoring scheme)	0.2
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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

This was an arranged inspection by regulating officer Steven White to meet with owner Darren Massey and assess the site compliance with its Fire Prevention and Mitigation Plan (FPMP). The FPMP on file is Version 1.2 (2017)

The site has depollution of End of Life Vehicles (ELV) as part of its permit however at present does not depollute the vehicles accepted on site. The batteries are removed prior to the ELV being stored on the yard; these are stored in a covered container. The ELVs are stored up to 3 high on the concreted yard - the entire site is concreted and drains to a large 10,000 litre capacity interceptor, this is serviced and maintained at the same time that the waste oil is collected from site. Due to the size of the interceptor it has not been emptied in a few years - you must ensure that the interceptor has capacity to contain any large spills or potential large amounts of water (e.g. fire fighting runoff); it is advised that the interceptor capacity is checked at the earliest opportunity.



In the site building the main operation is cable granulation with the plastics and metals separated and collected separately.



Granulation machine and waste plastic produced

The site benefits from concrete walls around its boundary increasing the capacity of the site for large spills/fire runoff by an additional 6000 litres

Future investments for the site were discussed, these included a depollution rig for ELV and concrete bays for different waste types outside. If/when these are put in place on site the EMS and FPMP will need to be updated to show these improvements.

Waste returns were checked for the site - there are no waste returns on our database for Massey Metals since the permit issue in July 2017. All waste accepted and removed from the site must be reported to NRW; details of how to do this can be found on our website by searching for 'waste returns', they can be emailed to waste.returns@cyfoethnaturiolcymru.gov.uk.

Can you ensure that all waste returns for the site are submitted by eight weeks from the issue of this CAR form (that is by Friday 20th September 2019), This has been scored against the permit as a CCS C4 breach.

Fire Prevention and Mitigation Plan

The site FPMP was assessed and the following recommendations have been made:

The FPMP for the site was mainly accurate and reflected the operations and prevention measures on site, there were a few issues which have been outlined below.

Site plan: The following site plans were reviewed for the audit, Site Layout & Fire Plan RIV/2303/03 and Receptor Plan RIV/2303/04; both plans were well drawn, labelled appropriately and easy to follow. During an incident the Fire and Rescue Service will need to readily access the site FPMP to help quickly understand the site layout and reduce the impact and spread of the fire. A copy of the FPMP will need to be stored securely in a weatherproof emergency services box on site (usually located on the access gate) for access by the FRS and clearly shown on the site layout plan.

If you add more concrete bays and depollution equipment to the site this will have to be shown on an updated site FPMP

The cable granulation process that is carried out on site is not mentioned in the current FPMP and needs to be included as during the visit you said that this was the main activity in the building

Section 5.4.1 of the FPMP discusses the use of a 'fire curtain' on site once it has been procured - has the fire curtain been procured yet?

FPMP's are a document that show what waste and operations are on site at that time - they are not 'future documents' and are to be updated once site improvements, or purchases to improve the site, have been carried out. They cannot include things that are not yet on the site

The site FPMP needs to be updated to show the following actions:

- Storage of a FPMP for the emergency services in a weatherproof box on the access gate
- Updated site layout plan showing the emergency services box holding the FPMP
- Inclusion of cable granulation process, machinery and waste storage
- If the fire curtain has been procured changing the wording of the FPMP to show this. If it hasn't then this section needs removing until the item is procured.
- Update of site layout and FPMP if depollution kit is procured and extra concrete bays are built

A deadline of eight weeks from the issue of this CAR form has been set for the update of the site FPMP (that is by Friday 20th September 2019) to include the top three actions listed above. If the two actions regarding future site improvements (fire curtain/bays/depollution equipment) are to be carried out prior to the deadline above then these need including in the new version of the FPMP.

I will follow up on the audit and recommendations closer to the deadline, if they have not been carried out then the site permit will be scored against the relevant section.

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

Regards

Steven White

Senior Environment Officer (Waste Regulation Team)

Direct dial 03000 653 913

Email: 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.

EPR Compliance Assessment Report

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Site	Massey Metals Ltd	Permit Ref	AB3596CH
Operator/Permit holder	Massey Metals Ltd	Date	28/06/2019

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
G4	C4	Submit all missing waste returns by deadline of 20/09/19	20/09/2019
A1	C4	Update site FPMP with action points set out by 20/09/19	20/09/2019

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.