

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

Site	Lelo Metal Recycling Ltd	Permit Ref	EB3038RW		
Operator/Permit holder	Lelo Metal Recycling Ltd				
Regime	Waste Operations				
Date of assessment	03/10/2016	Time in	10:30	Out	11:40
Assessment type	Site Inspection				
Parts of the permit assessed	haz waste, site operations				
Lead officer's name	White, Steven				
Accompanied by	Thomas, Rhys				
Recipient's name/position	Gari Jones/ site manager	Date issued	19/01/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
C3 - General Management - Materials acceptance	C3	2.3.2 - Waste shall only be accepted if it is of a type and quantity listed in Schedule 2 table S2.1

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

The inspection was carried out as a handover visit between the previous regulating officer (Rhys Thomas) and the new regulating officer (Steven White), and as a hazardous waste audit. The following observations were noted and brought to the attention of the site manager.

Hazardous waste audit

Lelo Metals is registered as hazardous waste producer – CAG690, expires 22/09/2017

Site submits consignee returns every quarter - these are up to date. Returns for Q1 and Q2 2016 were with officers during visit; these corresponded with consignment note records on site. Waste returns for Q1 & Q2 2016 show batteries as only haz waste going out with batteries being removed to S.A.R – Permit number CP3294LE.

Site receives hazardous waste from businesses; most likely to be batteries or ELV's (Lelo uses FADS software to record details of all ELVs that come into site, only consignment notes for batteries from another permitted site was available for Q1 and Q2. The consignment note for oil removed during Q3 was available on site - oil being removed by Oil Recoveries Ltd – waste carriers no CB/SP3694SJ (Part E of consignment note was not yet complete).

Outgoing haz waste consignment notes checked – oil and batteries; appeared to be in good order. Issue with premises code on consignment note for incoming waste batteries meaning consignment number was not correct (producer's site permit number was used), this was explained to operators on site. The consignment note for engine coolant/antifreeze has not yet been received, this was removed from site very recently. Currently no consignment notes for air-con gas as none removed recently (arrangements being made with Autodrain to remove air-con gas).

Consignment notes were cross referenced against waste return data for Q2 2016 – these matched.

The issue was raised of small businesses (garages etc) declaring consignments of batteries as domestic waste. This will usually be put through a personal/family member account rather than a business account to avoid tax, also avoiding the extra paperwork and charge of the hazardous waste regs. Operator knows this is going on but does not know how to tackle it - if they refuse to take it as domestic waste customer will just go elsewhere, operator believes that batteries are also being picked up from local businesses by 'man in a van' collectors for cash in hand – small businesses would rather do this than complete the paperwork.

Site inspection

Officers were accompanied around the site by Gari Jones, the recent improvements to site drainage by the depollution area has been completed, an updated drainage plan will need to be forwarded on to NRW and the site EMS updated

There were a large amount of baled vehicles on site near the depollution area (estimated at ~250T – see photo below), as with a lot of metal recycling sites at the moment, these are being temporarily stored until the price of metals increase.



Baled vehicles being stored on site (~250T)

C3: General Management – Material Acceptance. Permit condition 2.3.2 – CCS score C3

Section 2.3.2 of the site permit states 'Waste shall only be accepted if: (a) it is of a type and quantity listed in schedule 2 table S2.1'.

During the visit it was noted that there were two waste streams stored on site that are not listed in the site permit. There was a significant amount of Construction & Demolition waste in the bottom yard (officers were unable to accurately estimate the volume as the yard was locked at the time of the visit and the correct key could not be found), C&D waste is not on the list of wastes that can be accepted on site under the permit and there is no relevant exemption (S2) registered for the storage of such waste on site. There were also items of waste electrical equipment observed on site (see photo below) – another waste that is not listed on the permit, the storage of the C&D and WEEE waste on site has been brought up in previous inspections and is subsequently scored as a C3 breach against the permit.



Waste electrical equipment observed on site

Action: Ensure that any non-permitted wastes are removed from site and that a permit variation is applied for if you wish to continue accepting these waste streams in the future; guidance on how to do this can be found on our website.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0026537**

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Operator/Permit holder	Lelo Metal Recycling Ltd	Date	03/10/2016

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
C3	C3	Ensure that any non-permitted waste types are removed from site and a permit variation is applied for if you wish to accept these waste streams in the future	19/12/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.