

Compliance Assessment Report

Report ID:
CAR_NRW0032535

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

Site	G Lock Scrap Metal Processors		Permit Ref	FP3795LX	
Operator/Permit holder	Philip Lock				
Regime	Waste Operations				
Date of assessment	14/12/2017	Time in	10:30	Out	12:10
Assessment type	Site Inspection				
Parts of the permit assessed	Specified by permit; Site drainage and engineering; Staff competency/training; Storage, handling, labelling and segregation; Site security; Reporting and notification; Fire Prevention Plan				
Lead officer's name	White, Steven				
Accompanied by	Williams, Leon				
Recipient's name/position	Phillip Lock/ Owner	Date issued	08/01/2018		

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
C2 - General Management - Management system and operating procedures	C3	3.4.1

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

This was a pre-arranged visit by new regulating officer for the site Steven White and Environmental Crime Officer Leon Williams, Phil Lock was on site and accompanied me during the inspection along with Emlyn Hughes of Mon Fire Management.

Waste returns for the site were checked prior to the visit - there were no issues found.

The site was clean and tidy with concrete covering the entire floor area, metal wastes were well segregated into ferrous and non-ferrous bays, batteries were all stored indoors in sealed acid-proof containers, all fuels/oils on site were stored in double skinned tanks (see photos below)



Battery storage/waste oil/fuel stores to the rear of the depollution shed.



Segregated waste storage on site

The TCM for the site is Phil who is on site virtually every day; more than the required amount specified in the permit. During the visit it was discussed about Huwie to be WAMITAB trained in near future.

There were 6 undepolluted cars on site, these were all stored on concrete prior to depollution (see photo below).



Undepolluted vehicles on site

Site is secure with a central CCTV management system in place

There were large piles of pre-treated and treated metals on site during the visit, the site Environment Management System states that maximum (estimated) quantities on site are: Ferrous - 20,000T/Non-Ferrous - 5,000T. If the amount of metals on site is over the quantities stated in the EMS this would be seen as a breach of Condition 1.1.1a of the permit. At the time of inspection the amounts were estimated to be below these; if the quantities look as though they are coming close to the maximum then waste will have to be removed off site.



Pre-treated and treated metals on site.

Oil interceptor is in the depollution shed, Phil was unsure when it was last emptied but that it was very big and large enough to cope with the size of the site. The interceptor will need checking, if it requires emptying/servicing this should be done at the nearest opportunity.

Site drainage is checked and cleared on a 12 month basis, this was carried out a couple of weeks ago.

Fire Prevention and Mitigation Plan

In July 2017 you were sent a letter detailing that Natural Resources Wales had made changes to the Standard Rule Set (environmental permit) that you hold - on 1st November 2017 all waste sites with a Standard Rules Set were required to have a Fire Prevention and Mitigation Plan (FPMP) in place and a new condition (3.4 - see below) was added to the site permit.

3.4 Fire

3.4.1 The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

3.4.2 The operator shall:

(a) if notified by Natural Resources Wales that the activities could cause a fire risk, submit to Natural Resources Wales a fire prevention plan which identifies and minimises the risks of fire;

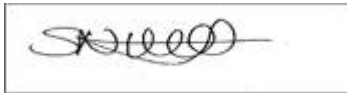
(b) operate the activity in accordance with the fire prevention plan, from the date of submission, unless otherwise agreed in writing by Natural Resources Wales.

If a site was found to not have the FPMP in place by this deadline (01/11/2017) then they were to be scored with a CCS C3 breach against the new permit condition (3.4.1). I am aware that you have employed Mon Fire Management to construct your site FPMP and that due to an increased workload that the completion of the FPMP has been delayed. However, the deadline of 01/11/2017 was for all sites with a Standard Rules Set and in order to be a transparent and fair regulator all sites that did not have the FPMP in place by this deadline would be scored accordingly.

The FPMP is in the process of being written up for the site by Mon Fire Management, during the inspection Emlyn Hughes asked whether separation distances or a physical wall would be required for metal wastes. The Fire Officer that NRW has seconded (Geraint Hughes) has been in touch with Emlyn and given advice and guidance on this to help with the FPMP for the site.

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

Regards



Steven White

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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Operator/Permit holder	Philip Lock	Date	14/12/2017

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.

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			
C2	C3	FPMP must be put in place for the site	16/02/2018

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.