

Compliance Assessment Report

Report ID:
CAR_NRW0026860

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

Site	E P S Scrap Export Facility	Permit Ref	JB3135RA		
Operator/Permit holder	E P S Materials Recovery Limited				
Regime	Waste Operations				
Date of assessment	30/11/2016	Time in	13:30	Out	14:30
Assessment type	Audit				
Parts of the permit assessed	All permitted area				
Lead officer's name	Medcraft, Jodie				
Accompanied by	Warrick, Linda				
Recipient's name/position	Adrian Stewart/ Operator	Date issued	09/01/2017		

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
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	Condition 2.5.1 - Improvement Programme

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

An inspection was undertaken on Wednesday 30th November 2016. The purpose of the inspection was to assess compliance with the permit EPR/JB3135RA.

Unfortunately on the day of the inspection Adrian Stewart was not available on site. We were met on site by a member of his team and accompanied by Bernard Sulek.

Environmental Management System and Environmental Permit

Copies of the Environmental Permit and Environmental Management System were available on site, however Condition 2.5.1 of your permit states;

"The operator shall complete the improvements specified in Schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales"

Table S1.3 required sections of your Environmental Management System and Site Specific Risk Assessment to be updated in line with Improvement programme requirement 1 (IPC1)

"The Operator shall update the sites environmental management system and site specific risk assessment with information regarding the acceptance, storage and treatment of waste coded as 19 12 12. These shall be submitted to Natural Resources Wales for written approval"

The deadline for this was within 1 month of the permit issue date (05/09/16). To date nothing has been received and no correspondence was received with regards to agreeing a new deadline.

This is a breach of Condition 2.5.1- Improvement Programme and has been scored Category 3 breach (A non-compliance which could have a minor environmental effect) under G4 – Reporting and notification.

Action – A date for the submission of this report is to be agreed with Natural Resources Wales by Monday 16th January 2017

Waste Storage

At the time of the inspection, waste was being correctly stored within the permitted area. Waste coded as 19 12 12 is not being accepted, stored or treated at the site in line with Pre-operational Condition 1.

Site Infrastructure

Uncontaminated wastes are currently stored on hardstanding. All contaminated wastes are stored on an impermeable surface. This Surface water travels via a sealed drainage system to a sump located to the south of the impermeable pad. The sump is inspected weekly and following adverse weather conditions to check the level of the water. Water is then removed and taken to a licensed waste facility for

treatment.

All drains on site are inspected daily to ensure they are free from blockages. Daily inspection records of this are available on site.

It was noted that the volume on site has greatly reduced.

Many thanks to all involved for their time during the inspection.

EPR Compliance Assessment Report

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Operator/Permit holder	E P S Materials Recovery Limited	Date	30/11/2016

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.

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	C3	Date to be agreed for submission of the report.	16/01/2017

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.