

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

Site	E P S Scrap Export Facility			Permit Ref	102057		
Operator/ Permit holder	E P S Materials Recovery Limited						
Date	30/06/2015			Time in	13:00	Out	14:00
What parts of the permit were assessed	A, B, C						
Assessment	Site Inspection	EPR Activity:	Installation		Waste Op	X	Water Discharge
Recipient's name/position	Bernard Sulek/Adrian Stewart						
Officer's name	David T Morgan, Sally Wakeford			Date issued		08/07/2015	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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

Condition(s) breached

a) Permitted activities	1. Specified by permit	C3	2.4.1;
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	C2	2.3.1;
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C2	1.1.1;
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),

A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded

3

Total compliance score
(see section 5 for scoring scheme)

66

If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

A site inspection was undertaken on 30th June 2015. During the inspection on 30th June 2015 the following observations were made;

At the time of the visit the site was very busy and appeared to be operating at near capacity. Wastes accepted on site appeared to be in line with the wastes listed in the environmental permit. There were no Waste Electrical and Electronic Equipment items mixed with the main scrap and all waste materials were clearly segregated on site.

Condition 2.4.1 of the permit was breached (Category 3 - Minor) (Ref: A1)

A non-compliance was recorded against this permit condition as the majority of waste operations are occurring outside of the permitted area. Large volumes of scrap metal waste is stored outside the permitted area being the land shown edged in green on the site plan attached to the permit. On leaving site an inspection of the site boundary was undertaken and it was noted that scrap metal waste piled near the embankment (on the side of the access road) was rolling out of site.

This non-compliance was recorded on a previous inspection (09/04/2015) and has not been rectified. To become compliant with this condition you must remove all waste materials from areas outside of the permitted area. Please conduct an inspection of the site boundary and ensure no waste materials escape site. Procedures must be put in place to prevent the escape of waste from site.

Condition 2.3.1 of the permit was breached (Category 2 - Significant) (Ref: B3)

Large volumes of waste material are stored on areas of the site where there is impermeable surfaces and no sealed drainage system. Large areas of the site appear to drain directly into the water. Storage of wastes in this manner could give rise to pollution of docks waters and is considered to be a serious breach of the environmental permit. Wastes (uncontaminated) must be stored on hard standing surfaces or impermeable surfaces with a sealed drainage system. All wastes must be treated (including sorting, separation) on an impermeable surface with a sealed drainage system.

This non-compliance was recorded in a previous inspection and no action has been taken to rectify this non-compliance. Also, this activity is still in operation and has not been stopped.



Condition 1.1.1 of the permit was breached (Category 2 - Significant) (Ref: C2)

There is no Environmental Management System for the site and its operations. The Environment Management System (EMS) should contain procedures for acceptance, storage and treatment of waste. The EMS should also contain the accident & emergency procedures for the site which currently do not appear to be documented.

You must develop an Environment Management System for current operations on site. Please see the 'H6 Horizontal Guidance Note – Environment Management Systems' which is a guide to developing Environment Management Systems.

Summary

There are a number of non-compliances on site which require immediate attention. You must develop an Environment Management System for the site that reflects current operations. Natural Resources Wales has noted your intention to vary the permit to a bespoke permit. This application would include enlarging the permitted area and incorporating a sealed drainage system that discharges to the docks waters.

Natural Resources Wales would welcome this application. However, pending the outcome of that application efforts must be made to bring operations back in line with the standard rules set that is currently held by EPS Material Recovery Ltd.

Natural Resources Wales is now considering further action to secure compliance with the environmental permit.

Thank you for your time during the inspection.

	EPR Compliance Assessment Report	Report ID: 102057/0243236
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Site	E P S Scrap Export Facility	Permit 102057
Operator/ Permit	E P S Materials Recovery Limited	Date 30/06/2015

Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	
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.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	X

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
A1	C3	Remove wastes from areas outside the permitted boundary	06/10/2015
B3	C2	Install a sealed drainage system to serve impermeable surfaces where waste is stored and treated.	08/01/2016
C2	C2	Develop an Environment Management System for the site that reflects current operations	06/10/2015

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 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 the officer's line managers. 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.