

Compliance Assessment Report

Report ID:
CAR_NRW0027068

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

Site	Delyn Metals Ltd	Permit Ref	ZP3994FJ		
Operator/Permit holder	Delyn Metals Ltd				
Regime	Waste Operations				
Date of assessment	26/01/2017	Time in	10:40	Out	11:40
Assessment type	Site Inspection				
Parts of the permit assessed	As below.				
Lead officer's name	Williams, Leon				
Accompanied by	Hughes, Julie				
Recipient's name/position	Stuart Butterworth / TCM	Date issued	06/02/2017		

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	A	
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1, EMS sub criteria 3.1.3,
C3 - General Management - Materials acceptance	C3	2.5.1, Table S2.1
C4 - General Management - Storage, handling labelling and Segregation	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	

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)	8
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

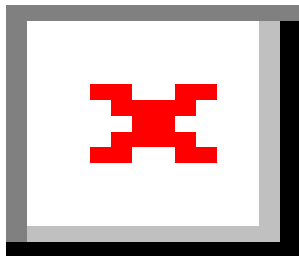
Section 2 – Compliance Assessment Report Detail

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

Routine site inspection conducted by Environment Officers Leon Williams and Julie Hughes accompanied by TCM Stuart Butterworth.

Over the 2016 calendar year a total of 3573 tonnes of waste have been removed from the site. NRW are pleased to see a reduction in the quantities of waste stored at the site in response to concerns raised during previous inspections that the maximum storage limits as set by Section 1.5.4 of the site Environmental Management System (EMS) may not have been complied with.

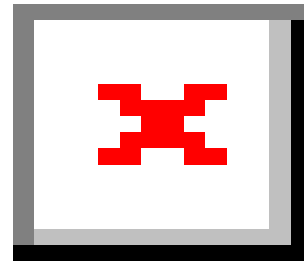
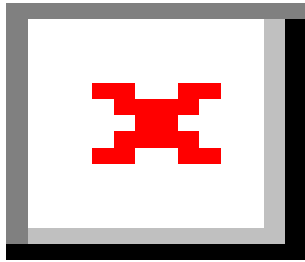


The clearance of waste has been focussed on one distinct area of the site. This has allowed the surface of the ground at this location to be visible for inspection. It appeared that the land upon which waste had been previously stored was made up of a granular material. Table S2.1 of the site permit requires that all waste is “stored and treated on hard standing or impermeable surface with sealed drainage”. This permit condition has been highlighted as part of this inspection report for advisory purposes and to make you aware of the condition.

Batteries stored at the site were seen to be stored in compliance with Table S1.1 of the site permit and a collection of duty of care waste transfer notes were inspected, all of which had been duly completed.

Approximately 18 end of life vehicles were being stored on site at the time of the inspection. The vast majority of these vehicles had their shock absorbers still attached. Oil was also seen to be present in a Silver Hyundai Accent (VRM: CX52 WRN). These observations demonstrate that these end of life vehicles

had not been fully de-polluted. Discussions on site with Stuart Butterworth informed that all the vehicles had sourced from Cambrian Autospares Ltd, Rhyl.



Delyn Metals Ltd is not permitted to accept end of life vehicles that have not been fully de-polluted. A CCS Category 3 score has been recorded for accepting non-permitted hazardous waste in breach of Table S.2.1 of the site permit, and for mixing hazardous waste with non-hazardous waste in breach of permit condition 2.5.1.

A CCS Category 3 breach has also been recorded against permit condition 1.1.1, sub criteria 3.1.3 of the site EMS for failing to identify and reject non-permitted hazardous waste. Please ensure that all wastes incoming to the site are effectively inspected upon arrival to the site in order to prevent non-permitted waste being deposited and stored at the site. The discovery of non-permitted waste should be documented in the site diary.

Please also be aware that Section 1.5.4 of the site EMS highlights that a maximum of 20 end of life vehicles will be stored on site at one time. Please ensure that this condition continues to be complied with.

Thank you for your co-operation during the inspection.

CAR sub criteria – C2 - Management system and operating procedures, Permit conditions 2.5.1, Table S2.1, Compliance Classification Scheme Score Category 3

CAR sub criteria – C3 – Materials acceptance, Permit condition 1.1.1, EMS sub criteria 3.1.3, Compliance Classification Scheme Score Category 3

'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	Delyn Metals Ltd	Date	26/01/2017

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.

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	Please ensure that all incoming end of life vehicles have been fully de-polluted before accepting the wastes.	07/02/2017
C2	C3	Ensure that site staff inspect incoming wastes effectively and reject non-permitted wastes accordingly.	07/02/2017

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 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.