

Compliance Assessment Report

Report ID:
CAR_NRW0031271

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

Site	Ammanford Metal Recycling	Permit Ref	RP3098FM		
Operator/Permit holder	Ammanford Recycling Ltd				
Regime	Waste Operations				
Date of assessment	23/02/2017	Time in	10:20	Out	11:15
Assessment type	Audit				
Parts of the permit assessed	Site				
Lead officer's name	Lloyd, Cathy				
Accompanied by	Ellar, David				
Recipient's name/position	Adrian Stewart/ Operator	Date issued	07/03/2017		

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	C3	2.1.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	C2	3.1.2 Table 3.1dii
	C2	3.1.1
	C2	3.1.2 Table 3.1ci
D2 - Incident Management - Accidents, emergency and incident planning	C2	5.1.4

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	5	Total compliance score (see section 5 for scoring scheme)	128
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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 purpose of the visit was to assess compliance with the Regulation 36 Notice. This required the sites infrastructure to be compliant with Condition 3.1.1 and Table 3.1 of the environmental Permit reference RP3098FM. I was accompanied by Dave Ellar, Snr Environment Officer.

There did not appear to be any improvement to the sites' infrastructure. The site was busy delivering ELV's and scrap metal. There was no Technically competent manager on site at time of our inspection. Please provide details of who the technically competent manager is for the site. Please provide the hazardous waste producer registration for the site. There was evidence of burning in a skip and drum on site. Your permit does not authorise any burning of waste on site. There were approximately 25 non depolluted cars being stored on permeable ground. Please provide an explanation of the status of these vehicles.

a Permitted Activities, Specified by Permit Category 3 breach condition 2.1.1

The permit authorises the acceptance of ELV's vehicles only. At the time of our inspection the site accepted Lead, scrap metal and WEEE. This is not authorised by your permit. All non conforming waste must be removed and taken to a site authorised to accept the waste. I will be inspecting waste transfer notes showing the removal of this waste.

b3 Infrastructure. Site drainage and Engineering. Category 2 breach of condition 3.1.2

The drainage tank was full which resulted in ponding at the entrance to the shed. A hazardous waste consignment note showing the removal of hazardous waste from the drainage tank could not be found. Please empty the tank and provide a copy of the last two consignment notes generated from emptying the drainage tank.

b3 Infrastructure. Site drainage and Engineering. Category 2 breach of condition 3.1.2

The sites infrastructure was in a state of disrepair. This is a Category 2 breach and is a significant risk of pollution from the site.

b3 Infrastructure. Site drainage and Engineering. Category 2 breach of condition 3.1.2

Roof water from the depollution bay has not been improved and drains onto land used for the treatment and storage of waste. This roof water must be diverted away from this area.

d2 Incident Management, Accident Emergency and incident planning. Category 2 breach of conditions 5.1.4

An oil spillage was noted ponding in the depollution bay and had not been immediately cleaned up. The damaged sill in the depollution bay allowed the oil to escape this area. There were numerous spillages of oil noted in various locations around the site. Because of the poor infrastructure on site there is no protection to the environment. There is a significant risk of pollution from poor management and infrastructure.

We will consider our enforcement response for the breaches on site and failure to comply with the regulation 36 notice.

The action dates on this compliance assessment report by be effected should we decide to serve a notice.

EPR Compliance Assessment Report

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Operator/Permit holder	Ammanford Recycling Ltd	Date	23/02/2017

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
B3	C2	Divert the roof water away from the site to prevent it from falling onto area used for the storage and treatment of waste.	31/05/2017
A1	C3	Stop accepting non permitted waste	08/03/2017
B3	C2	Infrastructure must comply with condition 3.1.1 and Table 3.1	31/05/2017
D2	C2	Clean up spillages immediately	08/03/2017
B3	C2	Drainage tank full and requires emptying. The drainage tank should be inspected daily and after rain and emptied when 80% full.	08/03/2017

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.