

Compliance Assessment Report

Report ID:
CAR_NRW0032783

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	24/01/2018	Time in	11:05	Out	13:50	
Assessment type	Audit					
Parts of the permit assessed	ELV					
Lead officer's name	Ellar, David					
Accompanied by						
Recipient's name/position	Adrian Stewart/ Director	Date issued	31/01/2018			

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
A1 - Specified by permit	C2	1.2.2
B3 - Infrastructure - Site drainage engineering (clean and foul)	C2	3.1.4
B5 - Infrastructure - Plant and equipment	C3	5.4.1
D1 - Incident Management - Site security	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	3	Total compliance score (see section 5 for scoring scheme)	66
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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

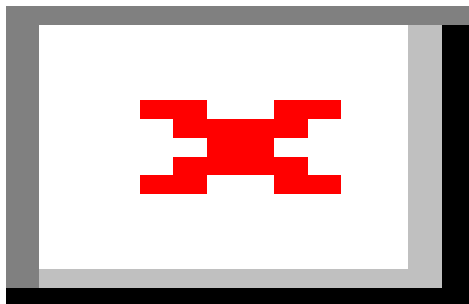
This section contains a report of our findings and will usually include information on:

- 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 site visit was a joint visit with Anne-Marie Orrells from the HSE. Also present during the visit and inspection around the site were; Steve (site Manager) Andy Evans and Adrian Stewart (Director).

It was encouraging to see that major investment to the site had been undertaken and a new concrete pad had been constructed for the T9 exempt operation. The drainage arrangements for the pad however are yet to be finalised with Welsh Water but Andy Evans informed us that the preferred option was to install a Class 1 interceptor and then utilise an old existing consent and discharge via the foul main. They are awaiting confirmation from Welsh Water that this preferred option is possible.

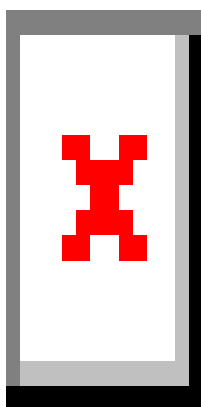
photograph of new pad:



Storage of un-depolluted ELV's:

The large stockpile of unpolluted ELVs that had previously been stored on the made ground near the boundary fence had now been moved to the impermeable pad next to the vehicle depolluting area. Whilst this is the correct storage area for the ELVs it must be noted that this pad is full to capacity with the entire pad filled with ELV's 4 deep and 2 high. The ELV's had also been crushed in situ to facilitate their stacking. This crushing of ELV's must stop as it will impede the depollution process. The crushing of the ELV's has also led to leakages of fluids such as oil from the vehicles and these fluids can be seen running off the pad onto the made ground. **This is a breach of your permit and has been recorded as a category 2 non compliance.**

Oil can be seen off the edge of the pad in the photograph below:



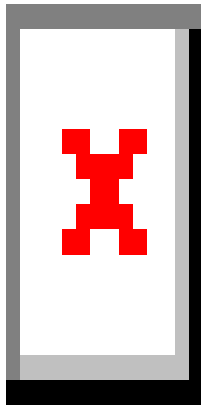
The impermeable pad must be designed, constructed and maintained to ensure all run off from the pad enters the drainage system. All spills and leakages must be cleared up immediately.

Vehicle depollution:

There was no evidence that the depollution process could meet the requirements of the permit and schedule 5 of the ELV regulations. There were no depolluted cars for us to inspect, there were no suitable tools present on site to facilitate the depollution process e.g. vacuum tanks etc.. and no one was present who could explain the process they followed. With the addition of the pre crushed ELVs, which would impede the depollution process, it is believed that the site is currently unable to depollute ELVs and meet the requirements of the ELV regulations. **This is a breach of your permit and has been recorded as a category 2 non compliance.** The HSE also had issues with issues regarding the depollution of ELV's and will be serving a probation notice to stop this activity until measures are put in place. Adrian Stewart agreed that the company would not depollute anymore ELV's at the site until systems and correct tooling was in place and the requirements of the HSE's probation notice was met. He confirmed that all ELV's recived at the site would be sent out from the site as unpolluted ELV's, with the correct consignment note paperwork to an approved treatment facility.

General observations:

A hose had burst on the grab and the hydraulic oil was still on the newly constructed pad, it could also be seen running down a joint in the pad towards the made ground. You must ensure all leaks and spillages are cleared up immediately and as described in table 5.1 of the permit. **This is a breach of your permit and has been recorded as a category 3 non compliance.** The photograph below shows the spillage:



Following the site tour a meeting was held where all observations and recommendations made by NRW and the HSE were discussed. During this meeting we were joined by another director of the company Richard Safadi. NRW agreed that apart from the immediate action in cleaning up any spillages around the site Ammanford Metal recycling should focus on the requirements of the HSE as a main priority and compliance deadlines were mutually agreed.

Ends

EPR Compliance Assessment Report

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Operator/Permit holder	Ammanford Recycling Ltd	Date	24/01/2018

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	Construct and maintain areas of impermeable pavement and drainage as in accordance with your permit.	31/08/2018
A1	C2	Ensure the site is able to depollute ELV in a manner that meets the requirements of schedule 5 of the ELV Regulations.	31/08/2018
B5	C3	Ensure all leaks and spillages are cleared up immediately and as described in table 5.1 of the permit.	28/02/2018

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.