

Compliance Assessment Report

Report ID:
CAR_NRW0031902

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

Site	Rees Metals	Permit Ref	LP3098FJ		
Operator/Permit holder	Rees Metals Ltd				
Regime	Waste Operations				
Date of assessment	26/06/2017	Time in	14:00	Out	15:00
Assessment type	Audit				
Parts of the permit assessed	See below				
Lead officer's name	Ellar, David				
Accompanied by	Edwards, Michael				
Recipient's name/position	Len Davies/ Director	Date issued	21/07/2017		

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 - Suspended	1.1.1
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	2.1.2
	C3 - Suspended	2.1
C3 - General Management - Materials acceptance	C3	1.2.1

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	4	Total compliance score (see section 5 for scoring scheme)	8
------------------------------------	----------	---	----------

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

Len Davies, Shaun Davies and Ifon Jones accompanied the NRW officers during the site visit. The main purpose of the visit was to check compliance against the Regulation 36 notice that was served on Rees metal. The part of the notice we were checking compliance against was the requirement to remove all unpermitted and excluded wastes from site.

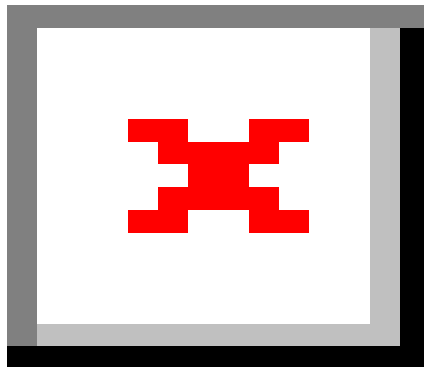
It was encouraging to see that a substantial quantity of waste had been removed from site since the last inspection this includes the vast majority of the unpermitted and excluded waste identified at our last inspection. I can confirm we accept this to be compliant with the notice. There is however still a significant amount of 'historic' scrap on site (see notes below for more detail).

C3 Non-Compliance - 'Historic' Scrap: Score suspended as this issue was identified and scored in previous CAR and the site has been given until 28/03/2018 to remove all the waste.

Condition 1.1.1 (table 1.1) of permit states that 'No wastes shall be stored on site for a period of more than 3 years'. There is clearly waste on site that has been there for longer than 3 years. This 'historic' scrap must be processed and removed from site.

C3 Non - Compliance - Metal Shear area:

The site has a history of issues regarding the metal shear area. During this visit the area around the shear and its bund was full of scrap metal. It was also noted that the bund has inadequate kerbing and is at risk of causing pollution. This is a breach of condition 2.1.1 of your permit. Please clear (and keep clear) the bunded area and repair the bund as necessary.



C3 Non-Compliance - Unpermitted waste. Despite the fact that the previously identified unpermitted wastes had been removed from site (and this part of the notice complied with) it is evident that some unpermitted waste types such as plastics are still coming in with the scrap. This unpermitted waste must be picked from the waste and removed from site. Waste acceptance procedures must be improved to ensure unpermitted waste types, such as plastics, are not accepted on site.

C3 Non-Compliance - Hardstanding: **Score suspended as this issue was identified and scored in previous CAR and the site has been given until 28/03/2018 to remove all the waste.** Improvements have been made to the hardstanding and to some of the tracks through the site. It was evident that quite a lot of hardcore had been imported and used to prevent rutting of the surface.

Ends.

--

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0031902**

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

Site	Rees Metals	Permit Ref	LP3098FJ
Operator/Permit holder	Rees Metals Ltd	Date	26/06/2017

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.

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.

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			
A1	C3		28/03/2018
C3	C3	All non permitted waste such as plastic must be removed from site. Procedures must be put in place to better check incoming loads for non permitted waste.	31/08/2017
B1	C3	The bund beneath the metal shears must be cleared of waste, pumped out and repaired as necessary.	31/08/2017
B1	C3	Hardstanding areas must be constructed and maintained in accordance with table 2.1 of the permit e.g. not subject to rutting, have sufficient durability to allow cleaning and shall remain free from standing water.	23/03/2018

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.