

EPR Compliance Assessment Report

Report ID: I/121113/900020/DM

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

Site	Lorey Metals			Permit Ref	EAWML 900020		
Operator/ Permit holder	Mrs Deborah Attewell						
Date	12/11/2013			Time in	10:00	Out	11:00
What parts of the permit were assessed	A, B, C, D, F						
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge	
Recipient's name/position	Mrs Deborah Attewell – Site Manager						
Officer's name	David Morgan			Date issued	18/11/2013		

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	A	
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	C3	2.5.1
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C3	1.1.1
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	A	
	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	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
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 or assessed in part (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

Number of breaches recorded

3

Total compliance score
(see section 5 for scoring scheme)

39

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

A routine site inspection as undertaken on 12th November 2013. This is the first inspection since the issue of the new permit.

During the inspection the following non-compliances were recorded;

1. Condition 1.1.1 of the permit was breached (Category 3 – Minor) (Ref: C2)

On the date of the inspection there was no Environmental Management System (EMS) available for the site. An up to date Environmental Management System is fundamental to the day to day operations on site. Please ensure an Environment Management System is created and made available for inspection. All staff on site should be made aware of the EMS and know where to locate it if their responsibilities relate to the activities set out in the permit.

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

There is a large volume of waste stored on areas of the site where there is no impermeable surface or sealed drainage system. **All waste being brought onto site from this day forward must be stored and treated on the areas of the site that benefit from impermeable surfaces and sealed drainage.**



Continued overleaf....

It has been taken into account that the volume of waste in certain areas has been significantly reduced over the past year.

As a result the compliance score for this breach will be suspended while work continues to clear waste stored on unmade ground. If all waste is removed from these areas by 1st July 2014 the score will be permanently withdrawn.

3. Condition 2.5.1 of the permit was breached (Category 3 – Minor) (Ref: B4)

A number of end-of-life vehicles are stored on areas of the site where there is standing water and cracks in the site surface. Please avoid storing vehicles in these areas of the site until they are repaired and can be considered impermeable.



It was noted that it was your intention to formulate an action plan to keep a record of works required with agreed deadlines for completion of those works. I fully support the creation of an action plan and look forward to working with you on formulating this plan.

Advice & Guidance

I would like to provide some advice & guidance relating to other notes made during the inspection.

1. It appears there has been fires on site. Please refrain from having fires on site in the future. Due to the nature of materials stored site and activities that take place there is a serious potential for an incident on site.



2. There are a number of wastes on site which are not compliant with the permit in place. Whereas these wastes (chipped plastics, glass, window frames etc.) may have been accepted under the old permit, the current permit does not include these wastes. Please remove them from site at the nearest convenience. These wastes must be taken to an authorised facility.



3. The back wall of the de-pollution bay is damaged. Please make the area behind the de-pollution bay accessible for inspection at the next visit. In a future inspection I would like to view this area to assess whether or not there are any fluids/liquids escaping the de-pollution bay. I would also like to undertake a de-pollution audit on site and view a full vehicle de-pollution taking place.



It was noticed that the areas of the site near the de-pollution bay appeared to be clean and free from any spillages of oil and liquids associated with vehicle de-pollution. Please maintain this good practice.

Thank you for your time during the inspection.

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

Site	Lorey Metals	Permit	EAWML 900020
Operator/ Permit	Mrs Deborah Attewell	Date	12/11/2013

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.	X
--	----------

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.

Section 4- Action(s)

Where a 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			
C2	3	Creation of Environmental Management System for site	10/02/2014
B3	2 * (suspended)	Remove wastes from all areas of the site where there is no impermeable surface and sealed drainage system	01/07/2014
B4	3	Remove end-of-life vehicles from areas of the site where there is standing water and cracked surfaces	10/02/2014

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 Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). 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.

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

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) 601 0987**.