

Compliance Assessment Report CAR_NRW0039432

Permit being assessed: ZB3793HN.

For: Dragon Works, held by City Metals (U K) Limited

At: Saltney, Chester, Cheshire, CH4 8RW.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 07/02/2022 between 11:20 and 11:45.

Parts of permit assessed: waste returns, reporting and notification to NRW, management system and operating procedures,

NRW Lead Officer: Boguslawa Pierzchala, accompanied by Kathryn Bradshaw.

Report sent to: Craig Chadwick, site manager on 01/03/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	Site working Plan/EMS has not been updated since 2004
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	Condition 7.2.2 of your permit requires you to submit within one month of the end of each quarter a summary of waste quantities and types accepted on to and removed from site for that quarter.
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	in accordance with Table 4.4 of the site permit (and section 4.8.5.3 of site EMS), engines and oily parts require to be stored in 'dedicated appropriate containers that are fit for purpose',
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
3	8.1

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
C2	Site Working Plan/EMS requires updating no later than the 28th of February 2022	28/02/2022
G4	Waste return check has been conducted and revealed that Natural Resources Wales had not received waste returns data for 2021. Action: Please submit Q1, Q2, Q3 and Q4 2021 waste returns by no later than the 28th of February 2022	28/02/2022
G4	waste returns- The two codes 200140- light shearing and 191202- OSHE are not listed as permitted for acceptance at your site. Please re-visit your recent waste return submission and advise if it is true reflection of what waste was accepted on site in 2019 and 2020. Please clarify the above by no later than 28th of February 2022	28/02/2022
B3	Action: 1. Remove all obstructions from the top of the interceptor- please comply by Tuesday the 15th of February 2022. 2. Please inspect the interceptor and the site drainage system to ensure it is still fit for purpose and fully operational. Please provide a written response detailing your findings- please comply by Friday the 28th of February 2022.	28/02/2022
C4	Please remove all engines and oily parts which are not stored in appropriate containers by the 25th of February 2022	25/02/2022
B3	Action: 1. Remove all obstructions from the top of the interceptor- please comply by Tuesday the 15th of February 2022.	15/02/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

On the 7th of February 2022, a routine unannounced site inspection was conducted at City Metals by Boguslaw Pierzchala, waste regulation officer, and Kathryn Bradshaw, hazardous waste officer. The site

manager, Craig Chadwick, was present throughout the inspection.

The depollution area was checked and appeared to be in order.

Storage of engines:

During the visits on the 13th of October 2020 and the 16th of June 2021 several engines were observed stored outdoors, on a concreted area. This was discussed with Mr Chadwick at the time. In accordance with **Table 4.4 of the site permit (and section 4.8.5.3 of site EMS)**, these were all segregated by type and stored on impermeable concrete floor which drained to the site interceptor. However, these parts are also required to be stored in appropriate, dedicated containers that are fit for purpose.

During this visit it was noted that some of the engines are now stored in a metal container next to the depollution area. However, a number of engines were seen stored either on the floor or on wooden pallets. See photos below.







Mr Chadwick stated that the engines had been scheduled for collection, but the buyer had been unable to remove them due to unexpected illness.

It was discussed with Mr Chadwick that the engines should either be stored appropriately, or an alternative disposal should be organised.

Since the inspection Mr Chadwick was able to contact the buyer and schedule a new collection date

Action : Please remove all engines and oily parts which are not stored in appropriate containers by the **25th of February 2022.**

Site drainage:

The site drains to an oil interceptor which should be regularly checked to ensure there is sufficient capacity to service the site.

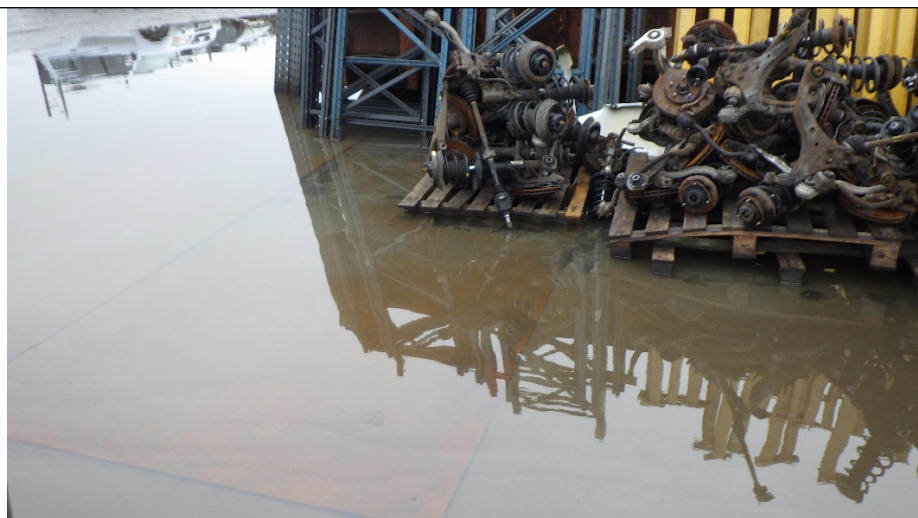
In the previous CAR form an action was set to provide NRW with the last date the interceptor was inspected and by whom. This action is still outstanding.

During this visit a large pool of water was observed by the interceptor and oily sheen on it. It seems that there could be either a blockage in the drainage system or the interceptor might be full.

The interceptor was also covered with two metal sheets on top of which was a pallet filled with car suspension parts.

The interceptor should always be accessible.

Please see below photos.





Action: 1. Remove all obstructions from the top of the interceptor- please comply by Tuesday the **15th of February 2022**.

2. Please inspect the interceptor and the site drainage system to ensure it is still fit for purpose and fully operational. Please provide a written response detailing your findings- please comply by Friday **the 18th of February 2022**.

Storage of depolluted cars

Depolluted cars were observed in the far, right-hand corner of the yard. These were checked and had been fully depolluted.

Waste returns

A review of the waste returns submissions for permit EPR-ZB3793HN was completed. The check revealed that Natural Resources Wales had not received waste returns data for 2021.

Condition 7.2.2 of your permit requires you to submit within one month of the end of **each quarter** a summary of waste quantities and types accepted on to and removed from site for that quarter. Please ensure waste returns are submitted quarterly, rather than annually as per condition 7.2.2 of your permit. This has subsequently been scored as a C4 breach against the relevant permit condition

Action: Please submit Q1, Q2, Q3 and Q4 2021 waste returns by no later than the **28th of February 2022**

Waste returns for 2019 and 2020 show that the site accepted the following codes:

2019: 200140- light shearing 191202- OSHE 160106 – ELV scrap vehicle

2020: 200140- light shearing 191202- SSHE shearing 160106 – ELV scrap vehicle

The first two codes 200140- light shearing and 191202- OSHE are not listed as permitted for acceptance at your site.

An action was set in the previous CAR form to re-visit the above-mentioned waste return submission and advise if they were true reflection of what waste had been accepted on site in 2019 and 2020.

This action has not been completed. This has been marked as “action only”.

Please provide your reply by the **28th of February 2022**

EMS/working plan

The current Working Plan for the site is dated 2004. This will require updating following the change in working practices at the site a few years ago. This issue was raised in the previous CAR form in October 2020 with the action date 15/01/2021 and in the CAR form in June 2021 with the action date 13/08/21 (after a request for an extension had been granted by NRW).

This action has not been completed and was discussed again with Mr Chadwick. This has subsequently been scored as a C2 breach against the relevant permit condition

Action: Please ensure your working plan/EMS is updated to reflect the changes in the site activities. Please comply by the **28th of February 2022**.

Enforcement options will be considered should the above actions not be completed.

Please note that all actions were sent to the owner via email on the 14th of February 2022 due to technical issues with CAR forms.

Thank you for assisting us with the inspection. Please find my contact details below.

Kind regards.

Boguslaw Pierzchala Waste regulation Officer (Waste Regulation Team)

Email: boguslaw.pierzchala@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.