

Compliance Assessment Report

Report ID:
CAR_NRW0035147

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

Site	European Metal Recycling Ltd	Permit Ref	ZP3795FD		
Operator/Permit holder	European Metal Recycling Ltd				
Regime	Waste Operations				
Date of assessment	23/04/2019	Time in	10:30	Out	11:45
Assessment type	Site Inspection				
Parts of the permit assessed	Fire Prevention and Mitigation Plan				
Lead officer's name	Palmer, Richard				
Accompanied by	Peppicelli, Claudia,Davies, Edward J.				
Recipient's name/position	Ryan Jarman/ Depot Manager	Date issued	22/05/2019		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	X	
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	X	
C4 - General Management - Storage, handling labelling and Segregation	X	
D1 - Incident Management - Site security	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

NRW Environment Officer's Richard PALMER, Claudia PEPPICELLI and Ed DAVIES completed an inspection of your site on the 23rd March 2019, to assess compliance with your environmental permit (Ref. EPR-ZP3795FD). I was shown around site by Ryan Jarman, the sites Depot Manager and nominated technically competent person.

Thank you for taking the time to show me around site.

The ELV part of the site was currently 'mothballed' and not in use for depolluting 'End of Life Vehicles' (ELVs), whilst the building and surrounding area is awaiting a significant investment. For this reason, the full ELV permit inspection of the depollution of the cars has been delayed till after the infrastructure developments are in place and the facility is back operating. However, whilst on site other areas of the Permit conditions were assessed and it was recorded that there were areas of cracked concrete in the impermeable surface, which were highlighted in the last Compliance Assessment Report, and these will be being monitored on the next visit to ensure they are included in the site improvements.

Depot Manager Ryan Jarman indicated that he expects increased throughput at this facility after the investment has been made and needs to bear in mind that the waste generated (tyres, car interiors etc as well as oils and lubricants) will also increase and need to be included in the overall site FPMP, as these are combustible waste types and need the correct separation distances and cannot be mixed with other site generated waste/storage piles.

It was recorded by the officers on site that the way that the waste materials were currently being stored on site would be unacceptable under the new FPMP waste storage guidelines and be considered as Breach of the Permit conditions and scored as such. **Please can EMR include on their revised waste storage site plan for the FPMP, the provision of clearly defined areas with the correct separation distances for the types of waste generated from the ELV permitted area (Tyres, Waste derived from stripping the cars such**

as seats and other general wastes, oils and lubricants)

As per site EMS, monthly monitoring of site surfaces to be completed and recorded.

Regarding the acceptance of WEEE on to the site, NRW must stipulate that currently WEEE waste is only allowed to be accepted on to the site under the conditions in line with your S2 exemption (<http://www.legislation.gov.uk/ukxi/2010/675/schedule/3/made>) and stored as described in Section 8 Annex VIII of the EU WEEE Directive (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32012L0019>). This exemption is registered until 03/08/2020. This is because after investigation, it is apparent that there are no waste codes added to the Permit ZP3795FD to allow EMR to accept WEEE wastes, as it seems VOO2 variation in Nov 2008 has no record of being implemented. This currently stands as NRW default position, unless EMR can evidence otherwise and provide details to NRW of what was determined in this variation. **Please can EMR provide any evidence of the conditions as stipulated in this variation and provide evidence that it was ratified by NRW (EA Wales), and the related WEEE acceptance/storage conditions can be applied.**

As per requirements of S2 exemption hazardous WEEE or WEEE intended for reuse must be stored under cover and on an impermeable surface. **Please confirm that none of the types of WEEE stored on site fall into these categories. If your WEEE storage area does contain these categories of WEEE a weatherproof covering must be put in place on site.**

The impermeable surface surrounding this area also had areas of damaged concrete that would not currently meet the requirements for the storage of WEEE under the S2 exemption. Also, the storage area as it is currently designed for the storage of the WEEE needs to be improved or relocated to another area of the site, as the current fire break of 6mm sheets of steel would not provide the required 2 hour fire protection barrier that is required, as it is right next to the ELV de-pollution bay and also the tailings pile.

Re-iterating from the previous CAR form, as it was not received by EMR, the previous NRW Officer Nessa Dearle noted that section 3.13 of your environmental management system outlined that "Materials received by EMR for shearing typically consist of post-consumer scrap metals; depolluted end of life vehicles (ELVs), large domestic appliances (WEEE) and other mixed metal materials". While elsewhere in your plan you outline that no WEEE is treated on site.

From revision of your permits and exemptions, I can confirm that you are not authorized to treat any type WEEE on site. **Please confirm whether large domestic appliances are treated on site. If these activities are noted on site in the future, you will be breached on this.**

Ryan Jarman is to submit WAMITAB certification as soon as he has passed the course and become fully qualified as the designated site TCM. Until Mr Jarman has passed his WAMITAB qualifications evidence needs to be submitted (via Site Diary) that an adequately qualified TCM is on site at least once a week, when this part of the site is back operational.

C3, B1 and C4 have been scored as **(x) Action only** due to the temporary non-operational status of the ELV depollution facility, but will be escalated to breaches of the permit conditions if the requirements stipulated are considered as not being met prior to the next NRW site inspection, when depolluting activities recommence at the facility.

If you have any queries relating to your environmental permit or this form, please do not hesitate to contact me on the details below.

Richard Palmer

Richard.palmer@cyfoethnaturiolcymru.gov.uk

Office Tel: 03000653799

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035147**

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Site	European Metal Recycling Ltd	Permit Ref	ZP3795FD
Operator/Permit holder	European Metal Recycling Ltd	Date	23/04/2019

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			
C4	X	Correct separation distances and storage conditions of waste to be implemented on site	26/07/2019
B1	X	Improvement of infrastructure prior to recommencement of depollution activities	20/06/2019
C3	X	Verify WEEE waste acceptance onto site as part of the Permit via evidencing, or solely under S2 exemption	20/06/2019

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.