

Compliance Assessment Report

Report ID:
CAR_NRW0001180

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

Site	Metech Recycling (U K) Ltd	Permit Ref	DP3598FP		
Operator/Permit holder	Metech Recycling Uk Ltd				
Regime	Waste Operations				
Date of assessment	01/03/2016	Time in	14:00	Out	16:30
Assessment type	Site Inspection				
Parts of the permit assessed	Incident Response				
Lead officer's name	Carter, Alex				
Accompanied by	Ward, Adam				
Recipient's name/position	Graham Bateman/ Site Manager	Date issued	19/04/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
C4 - General Management - Storage, handling labelling, labelling and Segregation	C2	1.1 Specified Waste

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	31
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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

Introduction

Officer Adam Ward attended Metech Recycling on 1st March 2016 to meet with Graham Bateman (Site Manager) following a fire that took place at the permitted premises on 28th February 2016. The purpose of the visit was to assess ongoing non-compliances as well as the impact to the site from the fire and to discuss appropriate timescales for remediation. The key findings of the inspection are as follows:

- **There were a number of waste deposits at the front of the building, outside of the permitted area and consisted of refrigerators and waste cosmetic products.**
- **A number potentially hazardous LCD TV's and CRT TV's stored outside the building were fire damaged.**
- **There are waste polystyrene deposits scattered around the back of the building, outside of the permitted area.**
- **There are mixed waste deposits on the access road at the back of the building which are stored outside of the permitted area.**

Compliance

C4 Storage, Handling, Labelling and Segregation – Condition 1.1 Specified Waste Management Operations C2

You have previously been scored a Category 3 breach of the above condition for incorrect storage of LCD and CRT TV's. Now that some of the waste TV's are fire damaged, they posing an increased risk to the environment and human health. This is now a significant breach of the permit due to the hazardous waste found in the TV's, such as Mercury and Lead. **NRW has therefore scored a Category 2 breach against this permit condition.**

Action: You explained that you would move the fire damaged TV's in doors immediately, pending their eventual removal from site as a hazardous waste. As made clear at the time of the inspection, should the issue with hazardous waste storage continue, NRW will be left with no other option than to serve a Regulation 36 to comply with the specified storage conditions.

Illegal Waste Deposits (waste outside of permitted area)

With regard to the illegal deposits of waste refrigerators, cosmetic products, hospital equipment, polystyrene and mixed waste, you explained that this would be removed as soon as practicable. You were warned that these deposits constituted an offence under Section 33(1)(a) of the Environmental Protection Act 1990 and that failure to remove the waste would result in the serving of a Section 59 Notice to remove controlled waste.

Action: On 2nd March 2016, you submitted an email containing a document that provided timescales for the removal of the waste please ensure these dates are complied with to avoid the serving of a Section 59 Notice.

EPR Compliance Assessment Report

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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			
C4	C2	Removed affected material	07/03/2016

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 reports 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 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.