

Compliance Assessment Report CAR_NRW0039552

Permit being assessed: PP3092FN.
For: S & R Metals, held by Rosalind Jones
At: Llithfaen, Pwllheli, Gwynedd, LL53 6NH.

Type of assessment carried out: Site Inspection, Reason: Routine.
On 02/03/2022 between 10:50 and 11:45.
Parts of permit assessed: see below

NRW Lead Officer: Daniel Grant, accompanied by Lucy Amos.
Report sent to: Rosalind Jones, Site Owner on 14/03/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

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.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

This was an announced site inspection carried out on Thursday 3rd March 2022 by Natural Resources Wales officers Daniel Grant (Hazardous Waste Regulation Officer) and Lucy Amos (Hazardous Waste Data Officer).

Officers were accompanied throughout the inspection by Rosalind Jones of S&R Metals.

Weather conditions throughout the visit were wet and windy.

The main purpose of the visit was to discuss compliance with the Hazardous Waste Regulations (Wales) 2005, specifically involving the submission of consignee returns.

However, whilst on-site officers also carried out an inspection of the yard.

Site inspection

Approximately 15 ELV's were stored on site on a concrete pad at the rear end of the yard. No issues were noted with these ELVs (Figure 1) and the impermeable surface appeared in good order. It was noted that these ELV's were not depolluted, Rosalind proceeded to explain only the waste battery and tyres are removed from ELV's at S&R Metals. ELV's are then removed off site and taken to Phoenix Metals for depollution. Rosalind was aware of the requirements surrounding producing a valid hazardous waste consignment note to accompany this movement of hazardous ELV's to Phoenix Metals.



Figure 1. Stored ELV's on-site (undepolluted)

Rosalind explained this stockpile of ELV's was approximately two years' worth of ELVs. Please note, condition 2.1 of your permit "The licence holder is authorised to carry out the activities specified in schedule 2, table 2.1":

Table 2.1 states – "Maximum storage time of 3 years prior to recovery"

Therefore, please ensure the ELVs are not stored for longer than this period if they are to be recovered.

Metal wastes were stored suitably on site with no issues noted.

Waste batteries removed from ELV's were stored in a suitable acid resistant container with two weatherproof lids (Figure 2).



Figure 2. Hazardous waste batteries stored in appropriate acid resistant container

The site's impermeable surface is sloped towards the far corner of the yard where the oil interceptor is located. During the visit water had collected around the interceptor (Figure 3). Rosalind explained that this occurred occasionally during periods of heavy rain where the water table of the wetland, where the interceptor discharge's into, has risen. Rosalind ensured that this would clear once the water table would fall. Officers inspected the water that was collected. There was no visible indication of any oil pollution nor any odour to the water. This is due to the lack of depollution that occurs at the yard. Please ensure your oil interceptor is maintained and serviced. We will attach the relevant guidance on Oil interceptors published by the NetRegs for your attention.



Figure 3. Some water collected around site's oil interceptor

Hazardous waste consignee returns

While on site we discussed the obligation of S & R Metals Ltd to submit quarterly hazardous waste consignee returns with Rosalind Jones.

Hazardous waste consignee records were readily available for us to view whilst on site and those viewed for

2021 appeared to be in order.

Rosalind informed us that all her hazardous waste consignee returns have always been submitted on paper. It was agreed by NRW that due to the site not using computer-based records for their business, that paper returns will continue to be accepted from the business.

S&R Metals very rarely receives data which in needs to be reported to NRW as quarterly hazardous waste consignee returns. NRW officers agreed they would discuss this internally to confirm if S&R Metals should continue to submit this data as 'Null Returns' every quarter.

We can now confirm that NRW has agreed that, unless we subsequently contact you to inform you otherwise, hazardous waste consignee null returns do not need to be submitted every quarter. However, should a return need to be submitted which contains relevant records of hazardous waste which has been consigned to the business we would require you to use the paper template we left with you and you had also previously received from officer Lisa Macdonald.

Should you wish to discuss any of this information please do not hesitate to contact me. Thank you for your time.

Regards,

Daniel Grant, Hazardous Waste Regulation Officer

07827 354240

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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.