

Compliance Assessment Report CAR_NRW0039906

Permit being assessed: BB3793ND.

For: Nevills Dock, held by AMG Resources Ltd.

At: A M G Resources Ltd, Nevills Dock, Llanelli, Carmarthenshire, SA15 2HD.

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

On 06/05/2022 between 09:00 and 17:00.

Parts of permit assessed: General Site inspection

NRW Lead Officer: Sally Wakeford, accompanied by David Morgan.

Report sent to: Adrian Stewart, TCM on 11/05/2022.

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	Ongoing (O)	3.1.2
A1 - Specified by permit	C3 Minor	2.4.1

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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	Provide an updated PMP to NRW for review by 27 May 2022.	27/05/2022
A1	Ensure all waste is stored within your permitted area by 17 June 2022.	17/06/2022

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 06 May 2022 a site inspection was undertaken at AMG Resources, Llanelli, by Sally Wakeford and David Morgan, accompanied by Robert Williams of Carmarthenshire County Council Environmental Health (CCC). We were accompanied on site by Adrian Stewart and Ben Rees of Geotechnology.

Due to the issues surrounding fly infestation on the site, and affecting surrounding areas, a site inspection was undertaken to understand the current situation on site, regarding stock levels, storage of wastes and stock rotation.

The inspection was undertaken during cooler weather, there was little fly activity on site. The contracted pest control company had been on site on 04 May 2022 (2 days prior).

Pest Management Plan (PMP)

C2 – General Management – Management system and operating procedures – Permit Condition 3.1.2. – Ongoing non-compliance.

You have an ongoing non-compliance against the permit condition 3.1.2 as no amendments have been made to the PMP since the last inspection report NRW0039690 dated 08/04/2022. This CAR form includes the improvements required to meet some Appropriate Measures. Due to the delays in discussions between AMG, CCC and NRW, a final extension has been provided for the updates required.

Appropriate Measures must be included in your PMP, to an adequate level, with definitive wording, to ensure you are taking measures to reduce your impact on the local area. This includes the production of a stock rotation plan. These plans must be constantly reviewed to ensure they are effective in minimising fly activity.

You must ensure you then implement all measures in your PMP.

ACTION: Provide an updated PMP to NRW for review by 27 May 2022.

Waste stored off the permitted area

A1 – Permitted Activity – Permit condition 2.4.1 – Category 3

A Category 3 non-compliance has been recorded against permit condition 2.4.1 as waste was continuing to be stored off the permitted area.

Waste had been stored on areas of the site where exemptions had been registered, off the Standard Rules permitted area. Due to the entire site holding an Installations permit, no exemptions can be registered here. As such they were removed from the register on 06 April 2022.

All wastes must be stored in line with your permit conditions and must be moved back to the permitted area. During the inspection it was indicated that 6 weeks would be required to remedy this.

ACTION: Ensure all waste is stored within your permitted area by 17 June 2022.

A warning letter will be issued separately to this Compliance Assessment Report.



Storage of waste on permitted site & stock rotation plan.

Adrian Stewart stated that approximately 7,000 tonnes of waste post-consumer cans were on site at the time of the inspection. Both NRW and CCC have concerns regarding the volume of waste on site at the present time, with the summer season and warmer weather incoming.

Adrian Stewart explained the waste contracts in place, approximately 3-4,000 tonnes, will be removed from site in the next 6 weeks. 2,000 tonnes of waste will be imported to site during this period. There will be a net reduction in waste on site, but significant amounts of waste will remain on site.

Following the removal of the contracted waste, the remaining wastes will be on site significantly longer than the 10-day time period stated in your PMP.

Further concerns were raised regarding stock rotation. There is no clear stock rotation in place, or described within your PMP. Whilst on site it was noted a lorry was unloading bales of cans seemingly direct to the stockpile for baling.

There were no distinct piles, or knowledge of exactly when specific wastes arrived on site.



Fly Monitoring

During the inspection it was noted that fly monitoring had begun on site. As yet, none has been supplied to NRW. Please ensure this is supplied weekly to NRW as previously agreed.



Thank you for taking the time to accompany us around the site.

END

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

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

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The

Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

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.