

Compliance Assessment Report CAR_NRW0039935

Permit being assessed: AB3697FW.

For: Tegfan Recycling, held by Huw Jones

At: Ynysgerwyn Depot, Aberdulais, Neath, SA10 8HN.

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

On 20/05/2022 between 12:00 and 13:00.

Parts of permit assessed: B

NRW Lead Officer: David Morgan.

Report sent to: Huw Jones, Operator on 23/05/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B4 - Infrastructure - Containment of stored materials	Ongoing (O)	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
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?

Criteria	Action needed	Complete by
B4	Complete works to improve infrastructure and remove waste from outside site boundary	16/09/2022

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

A site inspection was undertaken on Friday 20th May 2022 to assess progress on improvements to infrastructure and operations that were required following Natural Resources Wales' previous inspection. The following items were discussed: Infrastructure Improvements, Dust Management & Potential New Site.

Infrastructure

During the previous inspection, on Friday 18th March 2022, two Category 2 (Significant) non-compliances were recorded. These non-compliances were recorded in the Compliance Assessment Report referenced as **CAR_NRW0039617**.

A non-compliance had previously been recorded as infrastructure (boundary fencing) was failing to prevent the escape of waste from site. The fence had collapsed in one area and waste had fallen out of the site into a stream next to the site.

On Friday 20th May 2022, it was noted that this boundary fence had been repaired with a temporary fixing. It is reasonable to assume this fix will prevent larger items of waste from escaping site. However, a longer-term solution is required to prevent site surface water run-off leaving site and entering the nearby stream (which feeds the River Neath). On Friday 20th May 2022, there was no evidence of a pollution being caused to the stream, but there was still waste beyond the site boundary (including bricks, stone, concrete, rubble etc.).

ACTION: You must remove waste from beyond the site boundary at your nearest convenience. It was agreed that a channel would be made in the inert waste storage in order for this area to be accessed.

Although improvements have been made, this is recorded as an 'Ongoing Non-compliance'.





It was noted that to the rear of the site, where wood waste is stored, the fence had been fixed and all wood waste had been cleared from beyond the boundary. It was agreed that netting would be installed on this fence to prevent the escape of chipped/shredded wood waste from site.

Please ensure infrastructure improvements are made and all waste beyond the boundary is removed by Friday 16th September 2022.

Dust Management

At the time of the inspection, it had been a dry period with little or no rain. As a result, there were notable clouds of dust on site. At the time of the visit, this did not appear to be having an impact on the local amenity, or leaving site. However, it was agreed that efforts would be made by the operator to develop a dust management strategy. This could include the installation of pollution prevention equipment (sprays/misters etc.), or altering storage practices.

You may wish to refer to 'How to comply with your Environmental Permit' ([How to comply with your environmental permit \(cyfoethnaturiol.cymru\)](https://www.naturalresourceswales.gov.uk/your-environmental-permit)) for guidance on what measures are required to be compliant in relation to dust management.

Please make provisions for dealing with dust by Friday 16th September 2022.

New Site

You mentioned that due to the growth of the business in recent years, you are exploring the possibility of locating a new site for operations. Please do get in touch if you would like to discuss matters relating to a new Environmental Permit at any sites. We may be able to advise you on designations (sites of scientific interest etc.) and infrastructure requirements that will affect any potential permit application.

Thank you for your time during the inspection, our next planned inspection of the site will take place on Friday 16th September 2022.

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.