

Compliance Assessment Report CAR_NRW0040023

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 08/06/2022 between 10:00 and 10:45.

Parts of permit assessed: General Site inspection

NRW Lead Officer: Sally Wakeford.

Report sent to: Adrian Stewart, TCM on 16/06/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	2.4.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	2.3.1
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1 (a)
C1 - General Management - Staff competency/training	C3 Minor	1.1.1 (b)

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

Total number of non-compliances recorded	Total non-compliance score
4	16

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
A1	These must immediately be removed to the impermeable pavement an inside the permit boundary.	24/06/2022
B3	Please provide a timeframe for this action to be completed, for agreement by NRW	17/06/2022
C2	Complete routine litter collection and record in the site diary.	24/06/2022
C1	Ensure all relevant staff are aware of permit conditions and operating procedures outlined in the Environment Management System. Maintain training records for inspection.	15/07/2022

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

On 07 June 2022 pest monitoring data was supplied by Alex Stewart via email. This data showed that fly levels were remaining low on the site at all monitoring points. The fly monitoring data sheet stated no waste had been on site for longer than 10 days.

On 08 June 2022 an unannounced site inspection was carried out by Sally Wakeford (NRW) accompanied on site by Robert Williams from Carmarthen County Council (CCC). Officers were accompanied on site by Martin, who we were informed was managing the site on the day.

Fly Monitoring:

The purpose of the visit was to inform AMG Resources the NRW and CCC were going to be jointly carrying out fly monitoring in the vicinity of the AMG site to monitor fly issues and potential sources. In the past few years Seaside area in Llanelli has been affected by an increase in fly activity in the area. Fly monitoring points have been chosen in areas which have been the subject of complaints about fly activity in the area over the last 2-3 years.

Please can you retain the fly papers which are changed on site on a weekly basis, so the fly types can be assessed and compared by NRW and CCC.

Site Inspection:

Waste volumes on site appeared to have reduced since the previous visit on 06 May 2022.

Officers were informed that the two large piles on site, which had been present at the previous inspection on 06 May 2022 and were still present, had been there for a few months. This is as at odds with the datasheet for the fly monitoring submitted on 07 June 2022.

Waste stored off permitted area:

During the previous visit a non-compliance was recorded against permit condition 2.4.1 as waste was continuing to be stored off the permitted area – namely baled cans. This waste must be removed. It was noted that a large part of this waste pile had been removed from the area, and a small amount remained. This action has a deadline of 17 June 2022.

A1 – Permitted activity – Permit condition 2.4.1 – Category 3

A category 3 non-compliance against permit condition 2.4.1 has been recorded as during the inspection it was identified that quarantine skips containing mixed waste and a large pile of mixed waste had been placed outside the permitted area, on a hardstanding. All quarantined waste should remain in the permitted area.

ACTION: These must immediately be removed to the impermeable pavement inside the permit boundary. Deadline 24 June 2022.



Impermeable Pavement:

B3 – Site Drainage engineering (Clean and Foul) – Permit Condition 2.3.1 – Category 3 non-compliance

A category 3 non-compliance against permit condition 2.3.1 has been recorded as during the inspection it was identified that large parts of the impermeable pavement were broken, and in need of urgent repair to prevent the transmission of liquid through the pavement.

ACTION: Please provide a timeframe for this action to be completed, for agreement by NRW, by 17 June 2022.





Litter, waste escaping impermeable pad, quarantine skips:

C2 – Management systems – Permit condition 1.1.1 (a) – Category 3 non-compliance

A category 3 non-compliance against permit condition 1.1.1 (a) has been recorded as during the inspection it was identified that the management systems in place were not being properly implemented on site. During the operation of a sorting machine which had been brought to site to remove contaminants from the two older piles of waste, the litter from this operation, namely paper, was blowing off the permitted area due to strong winds with every load placed into the machinery.

Your EMS states:

AMG recognise that litter associated with the post-consumer can waste can, at times, require management. For this reason, litter nets are to be fitted around parts of the site perimeter, primarily along the direction of prevailing wind.

As litter tends to escape when bales are broken open and loose this operation is also being scrutinised.

Routine collection of litter will occur.

There were no litter nets in place, and it was clear that no litter collection had taken place recently as there was evidence all around the edge of the site of waste which had escaped the impermeable pavement.

ACTION: Complete routine litter collection and record in the site diary.



Staff Competency:

C1 – Staff Competency and Training – Permit Condition 1.1.1 (b) – Category 3 breach

A category 3 non-compliance against permit condition 1.1.1 (b) has been recorded as during the inspection it was identified that the staff responsible for the operations on site were unaware of the permit conditions or the details of the environment management system and lacked training. This included the escape of litter from site and all waste including quarantine/mixed waste skips should be stored on the impermeable pavement inside the permit boundary.

ACTION: Ensure all relevant staff are aware of permit conditions and operating procedures outlined in the Environment Management System by 15 July 2022. Maintain training records for inspection.

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

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.

END

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.