Compliance Assessment Report CAR_NRW0040183

Permit being assessed: JB3036RA.
For: Pen Y Wain Farm, held by A Q A (Cardiff) Ltd
At: A Q A Autoparts, Pen Y Wain Farm, Ty Mawr Lane, Marshfield, Cardiff, Newport, CF3 2YF.

Type of assessment carried out: Site Inspection, Reason: Routine.
On 27/07/2022 between 10:00 and 10:45.
Parts of permit assessed: 1, 2, 3, 4

NRW Lead Officer: Jak Rose, accompanied by Alex Bowder.
Report sent to: Mohammed Ali , Operator on 02/08/2022.

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	C3 Minor	2.3
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
F2 - Amenity - Noise	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C1 - General Management - Staff competency/training	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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
2	4.1

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	Remove stored hazardous wastes outside of the building and	19/08/2022

Criteria	Action needed	Complete by
	relocate into the building pending collection.	
G4	Submit outstanding waste returns for Q2 to Q4 2021 and 2022 for waste accepted and removed from site during these periods.	19/08/2022
B1	Send photo of building entrance showing if doorway lip extends across the whole of entrance.	05/08/2022
F2	Submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration	02/09/2022
C2	Send electronic copy of written management system.	15/08/2022

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.

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 compliance report details the site inspection conducted by Natural Resources Wales (NRW) Officers on 27 July 2022 at: AQA (Cardiff) Limited Pen-Y-Wain Rd, Ty Mawr Lane, Marshfield, Cardiff CF3 2YF - Permit number **EPR- JB3036RA.**

Waste Regulation Officers Jak ROSE and Senior Officer Alex BOWDER arrived at site at 10:00 and met with Operator Mr Mohammed ALI. The last inspection was completed on 30 April 2021. It was requested that an entire site walk around was undertaken. The weather conditions were fine and dry during the time of inspection.

Officers walked in via the entrance gates at the front. Access to the site can be via the Servicing/MOT bay area of Marshfield Motors to the front which is separate from AQA to the rear. There is a yard to the adjacent of the building which is an alternative to walking through the garage.

To remind the operator, following each assessment Natural Resources Wales will produce a **Compliance Assessment Report (CAR)** detailing our comments from the audit. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions. This can affect your site banding and annual subsistence fees; scored on a Category 1 - 4 basis:

1 - Major, serious persistent and/or extensive impact on the people/property/environment

2 - Significant impact or effect on the environment/people/property

3 - Minor impact or effect on the environment/people/property

4 - A non-compliance which has no potential environmental effect

Permit Breaches

There was a total of **two breaches** identified during the inspection against the following conditions of your permit. There were also actions identified that were not scored.

B4 Containment of stored materials - Cat 3; Permit Condition 2.3

Only fully depolluted vehicles and waste tyres are permitted to be stored outside of the building. All other waste is to be stored inside the building. Storage operations should avoid damaging components which contain fluids (in order to prevent spillages); and recoverable components and spare parts. As shown in **Photo 1 and 2** (see below)

Permit condition 2.3 states “The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in **schedule 1, table S1.2** - *All hazardous waste must be stored and treated inside a building on an impermeable pavement with sealed drainage.”*

Previous CAR forms indicates that there is a recurring issue with wastes that are not permitted to be stored outside of the main building. The permit defines what can be stored outside i.e., depolluted vehicles and tyres. Any other wastes must be stored within the building.

Action: Remove stored hazardous wastes outside of the building and relocate into the building pending collection.

Deadline: 19 August 2022



Photo 1 – overturned oil barrel and car parts stored outside building (Cat 3 breach)



Photo 2 – engine block with residual oil left on the floor stored outside (Cat 3 breach)

G4 Reporting and notification to Natural Resources Wales Cat 4; Permit Condition

4.2.2

There is outstanding waste returns Q1 2021 onwards.

Permit condition 4.2.2 states *"Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter".*

Action: Submit outstanding waste returns for Q2 to Q4 2021 and 2022 for waste accepted and removed from site during these periods.

Deadline: 19 August 2022

B1 Containment of stored materials; Permit Condition 3.1.1 (ACTION ONLY)

The brick bund is cracking and needs repairing inside the building in which the oil barrels are stored. There must be suitable secondary containment of hazardous chemicals such as oils. It was noted that there is a lip at the doorway of the building in which they are stored, this would be high enough to ensure a sufficient volume of containment.

Action: Send photo of building entrance showing if doorway lip extends across the whole of entrance.

Deadline: 5 August 2022

F2 Noise and vibration; Permit Condition 3.3.2 (ACTION ONLY)

Permit condition 3.2.2 states**:**

"if notified by Natural Resources Wales that the activities are giving rise to pollution outside the site due to noise and vibration, submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration;"

Action: Submit to Natural Resources Wales for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration

Deadline: 2 September 2022

C2 Management system and operating procedures; Permit Condition 1.1.1 (ACTION ONLY)

Permit condition 1.1.1 states:

"in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints"

Action: Send electronic copy of written management system

Deadline: 15 August 2022

General Observations

Officers inspected the area inside the building where all treatment operations are carried out namely the depollution of waste motor vehicles.

Various wastes are sorted and separated and placed onto various storage bins. These were items such as batteries, catalytic converters, body panels, wiring looms and engine blocks. Some of the engines were stored on the floor. The condition of the impermeable surface appeared to be in generally good condition.



Photo 3 – workshop area inside building

Officers looked at the storage of the chemicals within the bunded area next to shutter doors of the entrance. Once the chemicals are drained from vehicles, they are placed into the barrels until they are collected. These collections take place infrequently, hazardous waste consignment notes were checked at the time of inspection with the last collection taking place on 9 December 2021.

Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016

All tanks, drums, or other containers over 200 litres must be strong enough to hold the oil without leaking or bursting. A standard oil drum such as the ones shown in **Photo 4** have a capacity of 205 litres and must comply with the Oil Storage (Wales) Regulations.

Officers were unsure if this lip at the doorway extends all the way across. The Operator may meet the requirements of the regulations with a lip at the doorway of the room in which they are stored but it must be high enough to ensure a sufficient volume of containment.



Photo 4 – oil storage area within main building

Officers walked outside and observed several depolluted cars that were awaiting to be scrapped. These appeared to have all the hazardous fluids removed. **(Photo 5)**



Photo 5 – depolluted vehicles stored on hardstanding outside main building

Technically Competent Manager (TCM)

Mohammed ALI has been nominated as TCM for the site and proof of his continued competency have been received.

The expiry of Mr Ali's competency is 27 July 2023. Please ensure this is kept up to date.

Emissions and Monitoring

There have been reports of noise very recently from the activities on site. Officers have yet to carry out any assessment of these but will be undertaking monitoring over the coming weeks.

NRW will investigate whether there is unreasonable noise or odour from the permitted activities leaving the site boundary, and whether they are perceived to be disruptive or excessive. If noise or odour is deemed to be excessive, Officers would try and establish the source of the issue and assess whether the operator is carrying out appropriate measures on site.

These visits will be conducted by warranted NRW Officers carrying out their duties under Section 108 of the Environment Act 1995.

Officers left the site at 10:45.

If you have any issues with this report, please contact Officer Jak Rose at jak.rose@natutralresourceswales.gov.uk

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource 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.