

Compliance Assessment Report CAR_NRW0040593

Permit being assessed: NP3599FC.

For: J Pesci & Sons Ltd, held by Pesci J & Sons Ltd

At: Wernddu, Caerphilly, Glamorgan, CF83 3DA.

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

On 04/10/2022 between 14:15 and 15:00.

Parts of permit assessed: A, B, C, D, F, G

NRW Lead Officer: Carla Curtis, accompanied by Alex Bowder.

Report sent to: Dave Pesci, Site Manager, TCM on 24/10/2022.

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) | |
| B1 - Infrastructure - Engineering for prevention and control of emissions | Assessed (A) | |
| B3 - Infrastructure - Site drainage engineering (clean and foul) | Assessed (A) | |
| B4 - Infrastructure - Containment of stored materials | Assessed (A) | |
| B5 - Infrastructure - Plant and equipment | Assessed (A) | |
| C1 - General Management - Staff competency/training | Assessed (A) | |
| C3 - General Management - Materials acceptance | Assessed (A) | |
| C4 - General Management - Storage, handling labelling and Segregation | Assessed (A) | |
| D1 - Incident Management - Site security | Assessed (A) | |
| F1 - Amenity - Odour | Assessed (A) | |
| F2 - Amenity - Noise | Assessed (A) | |
| F3 - Amenity - Dust/fibres/particulates and litter | Assessed (A) | |
| F4 - Amenity - Pests/birds and scavengers | Assessed (A) | |
| F5 - Amenity - Deposits on road | Assessed (A) | |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | 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 compliance report details the site inspection conducted by Natural Resources Wales (NRW) Officers on J Pesci & Sons Ltd at Wernddu Works, Caerphilly, CF83 3DA - Permit number EPR-NP3599FC

Senior Regulation Officer Alex BOWDER and Officer Carla CURTIS attended J Pesci & Sons Ltd at 14:15 to conduct an introductory inspection. Site Manager Mr David PESCI was present and accompanied Officers around the permitted area. Weather conditions were overcast and starting to rain at the time of inspection.

The site holds a bespoke permit for a metal recycling facility and completes depollution of end-of-life vehicles (ELVs).

Previous inspections

The site was previously visited 4 July 2018 it was noted that there were numerous fire engine vehicles on site, which had been stored for longer than three years. These had all since been removed from the site; this was good to see.

End-of-Life (ELV) Depollution Bay

The depollution bay area was shut at the time of inspection. Officers were shown the containers where hazardous fluids, such as oils and fuels were stored. No issues were noted. Said to remove oils/fuels via an appropriate contactor once a certain volume is reached.

Technically Competent Manager

Mr David Pesci has recently completed continuing certificate under WAMITAB, expiry date is not until 7 January 2024.

Environmental Management System

This was not assessed on the inspection - will look later in the compliance year.

General Observations

A few tyres were witnessed in one area of the site. Discussed difficulty in finding an outlet that would accept them, as they were very worn.

Officers reminded the operator with regard to storage, Permit states: residual waste produced as a result of depollution or further treatment, maximum storage capacity 100 tonnes, storage time of one year prior to disposal or 3 years prior to recovery.

Shown the building containing separated metals. Spoke about past issues with break-ins and measures taken to prevent future instances.

Other comments

All metal stockpiles were observed to be at a manageable height (See image 1). However, some metal wastes were very rusted indicating prolonged storage times. Please would the operator inform NRW how long various metal piles have been stored for, and the timescales for removal.

No issues with security observed.

Waste returns

Waste returns must be submitted to NRW quarterly, within one month of the end of each quarter. David Pesci is responsible for submitting waste returns for the site. Waste returns appear to be up to date and within permit limits. Please continue to submit these in line with your permit. On 11/08/22, correspondence with J Pesci & Sons Ltd indicated that waste returns were submitted on time and in full with a total of 237.25 tonnes received during Q1, 2022 with 116.83 tonnes removed (R04 Metal recovery activities).



Image 1 - Showing metal stockpile at a manageable height

If you have any issues with this report or have any further queries, please contact Carla.curtis@cyfoethnaturiolcymru.gov.uk

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

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

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.