

Compliance Assessment Report CAR_NRW0040769

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 23/11/2022 between 10:15 and 11:15.

Parts of permit assessed: C, F

NRW Lead Officer: David Morgan.

Report sent to: Adrian Stewart, Director on 07/12/2022.

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
F4 - Amenity - Pests/birds and scavengers	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?

Criteria	Action needed	Complete by
C2	Update Pest Management Plan	17/02/2023

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 Wednesday 23rd November 2022 following reports Natural Resources Wales had recently received regarding increased activity of pests (flies) in the local amenity.

Present during the inspection were: David Morgan (Natural Resources Wales), Robert Williams (Carmarthenshire County Council) and Alex Stewart (AMG).

Site Inspection

Following reports of increased activity of pests in the local amenity, a joint inspection was undertaken by Natural Resources Wales (NRW) and Carmarthenshire County Council. Carmarthenshire County Council (CCC) had received reports of significant volumes of flies in a nearby school in the first two weeks of November. As the site is a potential source of flies, officers undertook an inspection of the waste stacks on site.

During the inspection, it was noted that volumes of waste stored on site have been reduced since previous visits. Although some waste on site appeared to have oxidized and was rusting, the majority of waste on site appeared to have been deposited recently.

Officers for NRW and CCC inspected several locations on site and found no evidence of fly breeding. No larvae or pupae was seen on site and when disturbed physically, there was no signs of flies on waste metal.

Fly Sampling

Following receipt of multiple reports of flies in a school adjacent to the site, fly strips were placed in the school. These strips were removed on Wednesday 23rd November 2022 and were sent for analysis. Analysis of these fly strips returned data to suggest the build-up of flies in the school was mainly of Cluster flies. This species of fly is not typically attributed to activities associated with your site and as a result, there did not, on this occasion, appear to be a link between onsite activities and flies off site.

Meeting 7th December 2022 & Pest Management Plan

A meeting was held on site on 7th December 2022. It was noted that processes and management systems are to be reviewed and amended. Please ensure all changes to waste operations are reflected in the site's Environment Management System.

Natural Resources Wales carried out an assessment of the most recent Pest Management Plan (March 2022) in April 2022. The findings of this assessment were communicated in a Compliance Assessment Report (ref: CAR_NRW0039690) on 7th April 2022.

Requests to update this Pest Management Plan have been made on multiple occasions since, notably in Compliance Assessment Report (ref: CAR_NRW0039906) on 6th May 2022 and again in Compliance Assessment Report (ref: CAR_NRW0040288) on 12th August 2022.

These requests have not been met. You must ensure the Pest Management Plan for the site includes appropriate measures for the management of pests (flies) on site.

In light of the planned changes to site, and the fact that mitigation measures taken by the site over the summer appear to have prevented any escape of flies from site, we are willing to extend this deadline until **Friday February 17th 2023**. It is imperative that an updated Pest Management Plan is in place before spring/summer 2023 to ensure procedures are in place to mitigate any potential pest issues.

Monitoring August 2022

As mentioned during our meeting on 7th December 2022, NRW & CCC undertook monitoring of the local amenity during August 2022. Our aim is to share a review of our findings with you. Overall, following an extensive monitoring programme, we did not detect an increase in fly/pest activity, as we have in previous years.

Summary

Following a recent increase of fly activity in the local area, NRW & CCC officers have sent fly strips used for analysis. The analysis showed that the species of fly captured (Cluster flies) was not typically associated waste activities that take place on site.

There was no link between flies captured off site and onsite activities.

Generally, there were very few reports of fly activity in the local area this year compared to previous years.

It is our intention to share our monitoring findings with you, but overall, there was no findings to suggest there was a significant escape of flies linked to onsite activities.

Despite the decrease in pest/fly activity this year, please ensure the Pest Management Plan is updated by Friday 17th February 2023, especially as activities on site are likely to change.

Thank you for your time during the inspection.

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 1 st 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.