

## Compliance Assessment Report CAR\_NRW0041010

**Permit being assessed:** FP3097EZ.

For: Jay Metals, held by Julie Young

At: Wernglyd, Cilrhedyn, Llanfyrnach, Pembrokeshire, SA35 0AG.

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

On 20/01/2023 between 10:15 and 10:45.

Parts of permit assessed: Site

**NRW Lead Officer:** Cathy Lloyd.

**Report sent to:** Julie Young , Operator on 31/01/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	Section 2.3.1.a. Table S1.2
E2 - Emissions - Land and groundwater	Action only (X)	
E1 - Emissions - Air	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	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
1	4

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
C4	Reduce volume of ferrous metal, store in locations specified in EMS	24/04/2023
E2	Please provide the sampling reports for Spring Well 1 and Spring Well 2	24/04/2023

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.

**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**

An unannounced site inspection was made on the 20 January 2023. I was accompanied by Julie Young. The inspection was cut short as Julie Young had a prearranged appointment.

**Category 3 breach of Section 2.3.1.a. Table S1.2**

Storage of waste was non-compliant with S2.3.1 (a): The activities shall be operated using the techniques and in the manner described in the documents specified in Schedule 1 Table 1.2. Waste was not being stored in the manner or locations specified within the Environment Management System (EMS).

The ELV depollution bay is so cluttered there was room for only one vehicle within the bay. This area should be clear for the storage of non-depolluted vehicles, the storage of liquids from the depollution activity and provide enough room to carry out the depollution activity on ELV's. There was a small pile of tyres within the bay which needs to be stored in the lockable shipping container in area A6 as shown in the EMS. Other than the one vehicle on the depollution unit waiting for treatment, there were no other non-depolluted vehicles on site.

Although a large amount of waste had been removed from AREA B1, a large volume of ferrous metal remains on site. This needs to be reduced to enable you to access the monitoring area OBS1.

**ACTION:** Tidy up the ELV depollution bay to remove waste that needs to be stored in other areas as shown in your Fire Prevention and Mitigation Plan. Reduce the volume of ferrous metal to allow easy access to monitoring location and to be compliant with your EMS.

**3.1.2.b.Emissions and Monitoring**

Spring Well 1 and Spring Well 2 must be sampled biannually for the required parameters. The sample results from the monitoring were requested in the previous CAR form NRW0039508. Unfortunately, you provided an incorrect sample report as it was for drinking water, (ref. P22-013). Please send the last two monitoring reports for both Spring Well 1 and Spring Well 2. Daily visual monitoring is also required at location OBS1, and weekly visual monitoring is required at location OBS2, as shown in the Emissions Monitoring Plan – Groundwater.

In the last CAR a request was made to cordon off the discharge point from the pig pen so that inspections can be made. Please provide a photograph showing that this task has been carried out.

**4.2 Reporting**

Thank you for providing the dates you sent in your waste returns which are up to date and on our system. The score from CAR form NRW0039508 has been amended to remove

this breach.

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](mailto: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](mailto: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.