

Compliance Assessment Report CAR_NRW0041817

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: Report/Data Review, Reason: Other.

On 11/05/2023.

Parts of permit assessed: Pest Management Plan Review

NRW Lead Officer: David Morgan.

Report sent to: Adrian Stewart, Technical Competent Manager on 12/05/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
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?

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 Assessment Report is formally acceptance of the recently submitted Pest Management Plan (PMP). Natural Resources Wales now deems this aspect of the operation to be compliant.

An updated PMP (Report No.2056r1v4d0223, dated February 2023) was received by Natural Resources Wales on 1st March 2023. Following a review by officers, we can

confirm that Natural Resources Wales accepts this updated plan and now deems the plan to be compliant with the requirements of the Environmental Permit.

Please note, in undertaking the review, it is noted that the updated PMP does not meet all Appropriate Measures of the guidance document titled 'Fly Management: How to comply with your environmental permit' (Version 1, April 2013) to the wording of the guidance. However, given the increase in investment by AMG in fly management last year and the improvements and updates to the PMP, Natural Resources Wales accepts the updated PMP.

It should also be noted that in the last year (2022) there was a dramatic decrease in the amount of reports of flies at nearby sensitive receptors. It is acknowledged that although Natural Resources Wales and the Local Authority undertook substantial monitoring in the area last year, reports of flies were down on the previous year and no link was established between flies on site and flies at nearby sensitive receptors in 2022.

Should Natural Resources Wales receive reports of flies at nearby sensitive receptors, and link this back to site operations, we may require further changes to the PMP and onsite operations to bring fly mitigation measures closer to the Appropriate Measures listed in the guidance.

Pest Management Plan Review

In summary, our review of the recently submitted PMP found the following (based against 'Appropriate Measures'):

Appropriate Measures as listed in 'How to Comply With Your Environmental Permit'

Appropriate measures to reduce pest problems are:

- regular inspections by nominated personnel

Meets Appropriate Measures.

- isolation and securing/removal of wastes that are attracting scavengers or flies

Meets Appropriate Measures.

- employing professional pest controllers, either directly or by contract

Meets Appropriate Measures.

- effective scaring or other deterrent methods

Deterrent methods are not listed in PMP, however, current working practices appear

to be sufficient.

- netting

There is no netting directly next to the waste storage/treatment areas, however, current working practices appear to be sufficient.

Appropriate Measures as listed in 'Fly Management: How To Comply With Your Environmental Permit'

- Monitoring adult fly numbers twice-a-week during April-Oct using an appropriate technique, such as resting counts in squares marked out on internal walls.

Meets Appropriate Measures.

- Carrying out waste acceptance checks (monitoring at weighbridge where possible, monitoring fly numbers in each load, recording heavily infested loads in fly contaminated load log sheet, treating loads and priority removal off site, not accepting fly infested loads from other waste sites). Where it's not always possible to monitor loads at the weighbridge, operators should monitor upon discharge.

Plan has measures for pre-acceptance (of contract) but does not specifically state that monitoring of fly numbers in each load will take place. However, based on current working practices, pre-acceptance and waste acceptance checks appear to be sufficient.

- Rejecting infested/problematic waste (what procedure is in place to ensure repeat problematic loads/known problematic waste streams are not accepted).

Meets Appropriate Measures.

- Proper waste handling and rotation (A/B system of waste in one day and out the next, waste not stored for longer than 48 hours, waste treated). This is especially important during the warmer months.

Guidance suggests waste is not stored for longer than 48 hours but it is accepted that this may not always be practical for commercial reasons. It is acknowledged that AMG has committed to having waste on site for 10 days or less. If at some point

in the future, any issues are raised regarding management of flies, consideration may need to be given to adjust turnaround times of waste on site.

- Ensuring that waste doesn't accumulate in inaccessible areas such as behind push walls, under plant or in corners. Any such waste should be removed daily, especially during the summer. Operators should also maintain good housekeeping, including cleaning down and disinfecting, regularly removing leachate and maintaining drainage systems.

PMP does not contain a statement confirming that daily checks will be made to ensure waste doesn't cumulate behind walls or in corners etc., however, current working practices appear to be sufficient.

- Aiming to ensure contingencies are in place if the main nominated disposal point is unavailable e.g. technical problem at waste to energy site or high winds closing landfill. Contingencies should include identifying alternative outlets.

Meets Appropriate Measures.

- Minimising the time external doors are left open during the warmer months, and where possible installing automatic doors. Screen other openings where possible to reduce fly dispersal.

N/A.

- Training staff in using fly spray, identifying flies, toolbox talks and understanding the importance of monitoring/recording fly infested loads.

Meets Appropriate Measures.

Further Pest Management Plan requirements as listed in 'Fly Management: How to comply with your environmental permit'

6.0 Pest Management Plan (PMP) Although flies may not be completely eliminated, their numbers can be minimised by implementing a structured PMP. The PMP should have the following six steps:

1. Ensure that staff are trained in key areas, for example the significance of flies, using control techniques and waste rejection procedures.

It is accepted that AMG have invested in hiring a contractor to manage flies on site. There is no specific statement that suggests staff on site have been trained in using

sprays etc., however, current working practices appear to be sufficient.

2. Monitor fly numbers and the extent of breeding sites.

Meets Appropriate Measures.

3. Select and implement the most appropriate long-term fly prevention methods, such as drying or removing manure, confining or covering waste materials, and using predators.

Not necessary at present, but could be considered in the future. The PMP suggests covering waste may increase temperatures and thus exacerbate the issue.

4. Select appropriate insecticidal fly control techniques, bearing in mind the need to minimise the impact of resistance, and the impact on beneficial organisms.

Appears to meet Appropriate Measures.

5. Decide the trigger level in fly populations for pesticide treatments, based on the timing of fly complaints from neighbours.

Meets Appropriate Measures.

6. Regularly review effectiveness of the fly control methods.

Meets Appropriate Measures (Commitment to review PMP and processes)

Thank you for submitting the updated Pest Management Plan. It is likely that the site will be inspected in the coming weeks where compliance with the PMP will be assessed.

END OF REPORT

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.