

Compliance Assessment Report CAR_NRW0041881

Permit being assessed: NP3795FK.

For: C A R, held by Ronald Gwyn Jones

At: C A R, Colstar Yard, Malthouse Lane, Llantarnam, Cwmbran, Gwent, NP44 3EE.

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

On 10/05/2023 between 11:10 and 12:30.

Parts of permit assessed: Various

NRW Lead Officer: Carla Curtis, accompanied by Jak Rose.

Report sent to: Ronald Jones, Owner on 24/05/2023.

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)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Action only (X)	
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)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	PERMIT CONDITION 7.1.2

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
1	0.1

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
B3	Please clear foliage from the inceptor area and silt from the drainage channel.	30/06/2023
C1	Please forward evidence that Shane has enrolled onto the relevant course to become a Technically Competent Manager	30/06/2023
G4	Please submit all outstanding Waste Returns documents for 2021 and 2022 to NRW	30/06/2023

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

This report details the site visit made on the 10 May 2023 to C A R, Llantarnam, permit reference number EPR-NP3795FK.

NRW Officers Carla CURTIS and Jak ROSE attended the C A R site at Malthouse House, Llantarnam, Cwmbran, Gwent, NP44 3EE, for an announced routine site inspection at 11:10 where we met with operator Ron JONES and Shane JONES.

The weather was overcast with intervals of rain. To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

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

Below are permit breaches that were identified during the site inspection.

CATEGORY 4 BREACH – PERMIT CONDITION 7.1.2

(G4) – REPORTING AND NOTIFICATION TO NATURAL RESOURCES WALES

'A summary record of the waste types and quantities accepted and removed from the site shall be made annually at the end of each financial year and shall be submitted to the Agency within one month

of the end of that year.

- Failure to submit annual waste return data to NRW for 2021 and 2022

Please see report content for further justification

GENERAL OBSERVATIONS

Overall, the general housekeeping on site needed improvement to ensure safe access in the event of a potential incident.

TECHNICALLY COMPETENT MANAGER

Ronald JONES explained that Shane JONES will be the Technically Competent Manager (TCM) for the site and is looking to arrange the qualification. To ensure that you remain compliant with the conditions of your permit, please ensure that you have a suitably qualified TCM in place and forward evidence of this to Natural Resources Wales.

ACTION:

Please forward evidence that Shane has enrolled onto the relevant course to become a Technically Competent Manager.

SITE INFRASTRUCTURE

The site has an on-site interceptor drainage system as well as an impermeable surface that was in satisfactory condition but in need of a bit of cleaning and general housekeeping. Maintenance and cleaning of the drainage lines has been undertaken within the last 6 months. No blockages were visibly noted at the time of the inspection. however, the area was overgrown and in need of clearing. The drainage channel also needs clearing of silt (see photo 1 below)



Photo 1 – Showing drainage channel with silt to be cleared

ACTION:

Please clear foliage from the inceptor area and silt from the drainage channel.



Photo 2 – Showing oil containers stored in the bunded area housed inside building



Photo 3 – Showing cars stored



Photo 4 – Showing general housekeeping on site needs improvement

WASTE RETURN SUBMISSIONS

According to NRW records, C A R have failed to submit any waste return data for 2021 and 2022. Permit condition 7.1.2 states that: A summary record of the waste types and quantities accepted and removed from the site shall be made annually at the end of each financial year and shall be submitted within one month of the end of that year.

As a reminder to the operator, please see below the waste return submission deadlines:

Waste Return Submission Deadline

Annual Return Period	Deadline
January 1 to December 31	January 31 of the following year

Site management need to put in place measures to ensure that the return data is submitted diligently annually. This can be done by setting calendar reminders or having a consultant to submit the business’ data. We can escalate breaches if this is a continuing non-compliance.

ACTION:

Please submit all outstanding Waste Returns documents to NRW for review by 30 June 2023.

Officers left site at 12:30 on the same day. If you have any issues with this report, please contact NRW at Carla.curtis@naturalresourceswales.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.