

Compliance Assessment Report CAR_NRW0042144

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 14/07/2023 between 10:00 and 11:00.

Parts of permit assessed: A, C, F

NRW Lead Officer: David Morgan, accompanied by Elysia Lovelock.

Report sent to: Adrian Stewart, Technical Competent Manager on 17/07/2023.

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)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.3.1
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	

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	Remove waste from areas of unmade ground and undertake repairs to site surface in all operational areas	15/12/2023
B3	Provide plan for site infrastructure maintenance (maintaining site surfaces)	15/12/2023

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 routine site inspection was undertaken on Friday 14th July 2023. Present at the time of the inspection were: David Morgan, Elysia Lovelock (Natural Resources Wales) and Adrian Stewart, Peter Nichols (AMG Resources Limited) and Mark Harris (South Wales Pest Experts, on behalf of AMG Resources Limited).

The main purpose of the inspection was to assess compliance with the Pest Management Plan and relevant Fly Management guidance ("Fly Management: How To Comply With Your Environmental Permit", The Environment Agency, 2013), however, other aspects of permit compliance were assessed with observations recorded below.

Pest Management

On the inspection on Friday 14th July, AMG Resources Limited were assessed as being compliant with the Pest Management Plan and relevant fly management guidance. It is noted significant investment has been made in the prevention and mitigation of flies on site.

It was noted that fly capture bags were still being used and replaced regularly. Of the capture bags that were checked (on western and northern sides of the site), levels of flies were generally very low.

A visual inspection of all monitoring boards was undertaken and all were found to have very low levels of flies, specifically House Flies. It would appear, at this current time, current fly prevention and mitigation measures are sufficient and are working effectively. Natural Resources Wales has not received any reports of flies in the local amenity this calendar year.

As always, if you identify other potential sources of flies in the local area, such as small-scale fly-tipping/ littering etc., please do report these to the Carmarthenshire Environmental Health Department. Large scale fly-tipping incidents (>20m³) should be reported to Natural Resources Wales.

Waste Storage

During the inspection, it was noted that a significant amount of material (heavy scrap metal) was being stored in an area of the site where the ground is unmade. Some of this waste appeared to have oil on and there were some items which appeared to have hydraulics (with oils/lubricants etc.).

Although on close inspection the unmade ground was not discoloured and did not have

signs of oil contamination, waste must not be stored on areas of the permitted site where surfaces are unmade ground.

A non-compliance was recorded against Condition 2.3.1 of the Environmental Permit (Category 3 - Minor)(Ref:C4)

Condition 2.3.1 states that you must operate in a manner using techniques described in Table 2.3:

Table 2.3 Operating techniques

1. Uncontaminated ferrous metal wastes or alloys and uncontaminated non-ferrous metal wastes shall be stored on hard standing or an impermeable surface. All other wastes shall be stored on an impermeable surface with sealed drainage system.
2. All wastes shall be treated on an impermeable surface with sealed drainage system.
3. Lead acid batteries shall be stored in containers with an impermeable, acid resistant base and a cover to prevent ingress of water.

To be compliant with the Environmental Permit you must not store and/or treat waste on unmade ground.

Site Infrastructure

It is likely, that in future inspections, Natural Resources Wales officers will be assessing site infrastructure and drainage in more detail. A significant area of the site is unmade ground. There are also several areas of the impermeable surface that are damaged and other areas where site surface water is pooling, suggesting a potential issue with site drainage.

In relation to Site Engineering (criteria B3), Natural Resources Wales requests that plans are provided that detail a schedule of maintenance works. This is recorded as ACTION ONLY.

On or by **Friday 15th December 2023**, please provide a plan/schedule of site surface maintenance works.

Other Notes

Generally, on Friday 14th July 2023, operations appeared to be largely compliant with the Environmental Permit.

One item of note is that due to a change of waste processing on site, a significant volume of residual waste is being generated (labelling, packaging from cans and metal packaging). You will need to ensure measures are put in place to prevent this waste escaping site during periods of heavy wind. It was suggested that netting may be installed around the permit boundary to prevent the escape of litter from site.

Since the previous inspection, the permit boundary has been varied and the permitted area of the site has increased. It was noted that these new permitted areas of the site are not yet being utilised for waste operations.

You must ensure that prior to a change in operations, relevant changes (including risk assessments) are made to the Environment Management System, Fire Prevention & Mitigation Plan and Pest Management Plan for the site.

It was agreed that AMG Resources Limited would notify Natural Resources Wales if/when these new permitted areas are going to be used for operations related to the Environmental Permit.

Thank you for your time during the inspection.

END OF REPORT

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.