

## Compliance Assessment Report CAR\_NRW0042073

**Permit being assessed:** BB3394CL.

For: Morris & Co (Handlers) Ltd, held by Morris & Co (Handlers) Ltd

At: Top Shed, Neath Abbey Wharf, Skewen, SA10 6BL.

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

On 28/06/2023 between 11:45 and 12:40.

Parts of permit assessed: Site

**NRW Lead Officer:** Cathy Lloyd.

**Report sent to:** Martin George , Site Manager on 24/07/2023.

### 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	C2 Significant	2.1.1
D1 - Incident Management - Site security	C3 Minor	1.1.1 (a)
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.3.1 (a)
C1 - General Management - Staff competency/training	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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
3	39

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	Ensure all waste is stored in line with permit conditions	30/09/2023
D1	Repair and inspect fence daily	25/07/2023
C4	Store all gas cylinders as stated in FPMP	25/07/2023
C1	Please provide a copy the the TCMs continuing competence certificate	25/07/2023
G1	Please provide a copy of the noise monitoring results that	25/07/2023

Criteria	Action needed	Complete by
	were required under Table S1.3 pre-operational measures.	

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.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

### 4. Details of our assessment

An unannounced, routine inspection was carried out on the 28 June 2023. I was accompanied by Kate Gregory, weighbridge operator and Keith Grubb HSEQ Manager. Some of the beverage can deliveries accepted at the site have a high plastic content. These contaminants are removed, but waste from this treatment process was being stored outside and was steaming in the wet conditions. Plastic waste is going to be sent for disposal. (photo 1)



**Photo 1** Incinerated steel and aggregate waste were being stored under the new hanger but some of this waste extended beyond the hanger and was not being stored under the shelter. (photo 2)



**Photo 2** Bales of waste steel and aluminium were also being stored outside. (Photo 3 and 4)



**Photo 3**



**Photo 4**

**C4 – Storage Handling, Labelling and Segregation - Category 2 breach of Condition 2.1.1**

Waste was being stored outside.

Condition 2.1.1 states *The Operator is only authorised to carry out the activities specified in Table S1.1*

*Table S1.1 All non-hazardous waste must be stored and treated inside a building on an impermeable surface with sealed drainage.*

**Category 3 breach of condition 2.3.1 (a)**

There was a small quantity of gas bottles noted on site, one stored within the caged area located on the NE corner of site, but other cylinders were being stored outside and not as required in your FPMP.

This is a breach of condition 2.3.1.(a) which states:

*The activities shall, subject to the conditions in this permit, be operated using the techniques and in the manner described in the documentation specified in Schedule 1, table S1.2*

**Action:** Ensure all waste is stored in line with permit conditions. Follow all the procedures for the storage and handling of gas cylinders as stated in the FPMP, - Appendix 13 *Safe Storage of Gas Cylinders Procedure and Section 4.8 Flammable liquids and Gas Cylinders*

**D1 – Site security – Category 3 breach of condition 1.1.1 (a)**

The boundary fence is damaged and in need of repair. Section 3.5 of your EMS states: *Condition of fencing, gates and security are performed daily and recorded on the Env Site*

*Checklist. If fences and gates are damaged and their integrity is impaired, they shall be repaired within 7 days.*

This is a breach of Condition 1.1.1.(a) which states *the operator shall manage and operate the activities in accordance with a written management system.*

**ACTION:** repair the boundary fence and ensure staff are aware of the daily actions as stated in your EMS, are carried out.

**G1 Monitoring of emissions and Environment Table S1.2. and Table 1.3 Noise Monitoring**

**ACTION:** Please provide a copy of the noise monitoring results that were required under Table S1.3 pre-operational measures.

**C1 Staff competency/training - TCM ACTION:** Please provide a copy the TCM continuing Competence Certificate

**Waste Returns**

NRW can confirm we have received the annual waste return for 2022.

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.