

## Compliance Assessment Report CAR\_NRW0042815

**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 14/11/2023 between 11:00 and 12:30.

Parts of permit assessed: A, B, C, D

**NRW Lead Officer:** David Morgan.

**Report sent to:** Martin George, Site Manager on 16/11/2023.

### 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)	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.1.1
D1 - Incident Management - Site security	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	You must either alter infrastructure or operations to ensure all waste is stored and treated inside a building.	26/01/2024

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 site inspection was undertaken on Tuesday 14th November 2023. The purpose of the inspection was to assess compliance in relation to non-compliances with the Environmental Permit that were recorded in the previous inspection on 28th June 2023 (Compliance Assessment Report ref: NRW0042073).

The inspection on 14th November 2023 was also an opportunity to discuss the ongoing reports Natural Resources Wales is receiving in relation to excessive noise that is allegedly emanating from a waste management facility in the Neath Abbey Wharf area. It should be noted that at this time, Morris & Co has not been identified as a source of noise, but owing to the nature of the reports, Natural Resources Wales will be investigating this matter further with all businesses in this area. Part of this investigation, being undertaken in conjunction with Neath-Port Talbot Council, will include reviewing processes and noise mitigation measures at all sites in this area including Morris & Co.

On 14th November 2023, an inspection of the site was undertaken and the following observations were made:

### **Waste Storage**

At the time of the inspection, the majority of waste was being treated and stored within the buildings on site. Storage of waste outside in the yard has been a recurring issue. **Waste must not be stored and/or treated outside in the yard. Waste cannot be stored outside in the yard prior to loading.**

Currently, the end of the process of metal within the main building results in metal waste being deposited in the yard. At the time of the inspection, there was a small amount of waste stored outside.

### **A non-compliance has been recorded against condition 2.1.1 of the Environmental Permit (Category 3 - Minor)(Ref:C4)**

You must consider altering infrastructure and/or operations on site so that all waste is stored and treated in a building (as stated in Table S1.1 'Activities' in your Environmental Permit). Failure to comply with this condition, given repeated non-compliance in this area of operations, may result in Natural Resources Wales taking increased enforcement action against you. On this occasion, you have been issued with a warning in this Compliance Assessment Report.

### **Site Drainage**

The requirement for operations to take place in a building is in part due to the site's

drainage infrastructure. The site is served by an impermeable surface and drainage system where all surface water drains to an open lagoon where surface waters soakaway into the ground. In order to avoid a land/groundwater contamination, it is imperative that only rainfall enters the system.

In a previous inspection, on 7th February 2023, a visual inspection of the lagoon was undertaken by Natural Resources Wales. At that time, the lagoon appeared to be heavily polluted by oils/grease that was standing on the surface of the lagoon (please see Compliance Assessment Report ref: NRW0041226 for reference).

It is noted that since the inspection of 7th February 2023, an interceptor has been partially installed. The lagoon did appear to be free from visible signs of pollution.

As you are aware, water samples were taken by Natural Resources Wales on 14th November 2023 and these results will be shared with you when they have been made available by Natural Resources Wales' laboratory service.

It is advised that Morris & Co routinely monitor the interceptor discharge (outlet from interceptor into lagoon) to ensure a pollution is not occurring. Also to be noted is that following a period of heavy rainfall, surface water was entering the lagoon on the right hand side of the building (upon entering site) and this was effectively bypassing the interceptor. You may wish to address this as at the source of this water, was old and damaged equipment (including a decommissioned diesel storage tank). This has the potential to cause a pollution.

### **Noise Management & Monitoring**

The Environmental Permit was issued on 26th July 2019. As part of the permit application, Morris & Co undertook a noise risk assessment and produced a noise management plan. Recommendations made in this plan included the repair of the main recycling building.

**Table S1.3 Pre-operational measures**

Reference	Pre-operational measures
PO1	<ol style="list-style-type: none"> <li>1. Repair of existing recycling building as specified in the section entitled 'Recommendations' in the Noise Management Plan Morris &amp; Co (Handlers) Ltd, Report Ref: 243NEATH.</li> <li>2. Following completion of the repairs of existing recycling building, carry out noise monitoring in line with BS 4142:2014+A1:2019 and submit a written report to Natural Resources Wales for approval. If rating levels are likely to be an indication of impact at sensitive receptors the report shall include further suitable abatement techniques as outlined but not limited to those specified in section entitled 'Step by Step Approach to Repairs and Sound Insulation' in the Noise Management Plan Morris &amp; Co (Handlers) Ltd, Report Ref: 243NEATH.</li> </ol>

As of yet, Natural Resources Wales is yet to formally recognise compliance with these pre-operational permit conditions.

On 14th November 2023, an inspection of the main recycling building was undertaken and Natural Resources Wales can confirm that the repairs to the building have been carried

out. It was noted that extra cladding had been installed to cover the lower sections of the building. There were small gaps in the cladding to allow an electric generator to vent and where some recent inhouse repairs had been carried out.

Natural Resources Wales deems PO1 1. (as stated above) to be compliant. PO1 2. is yet to be assessed.

It was suggested on site that Morris & Co undertakes routine monitoring of noise on site.

Please submit the following documents:

- \* **Most recent monitoring data/results**
- \* **Most recent version of the Noise Management Plan for the site**

**You must ensure activities in the exempt areas (where waste is brought into the permitted site) are included in the noise management and monitoring in the future owing to a pending variation to your Environmental Permit.**

### **Environmental Permit Variation & Exemptions**

On site we discussed the need for Morris & Co to vary the Environmental Permit that. As mentioned during the inspection, Natural Resources Wales will write to you separately regarding the status of the waste exemptions.

With regards to the Environmental Permit, Natural Resources Wales can confirm all three operational areas (described as Yard, Wharf and Railhead) can in principle be brought under a single Environmental Permit.

You will need to consider the most appropriate permitting solution and any potential permit application will need to consider the following points including, but not limited to:

- \* Risk Assessments for activities in relation to noise management
- \* Infrastructure requirements (drainage etc.)
- \* Site security measures
- \* Compliance with relevant Fire Prevention and Mitigation Plan Guidance
- \* Potential for nature and/or volume of activity to meet threshold of Industrial Emissions Directive (IED)

### **Summary**

An inspection was undertaken on 14th November 2023 and operations were assessed as being largely compliant with the Environmental Permit. A non-compliance was recorded as waste was being stored outside. It was noted that the process of metal in the building results in waste being deposited at the end of the line into the open yard. You must now alter infrastructure or operations to ensure compliance with the Environmental Permit.

Water samples were taken from the lagoon and we will share the results with you when they become available.

Please send copies of the most recent noise monitoring data and an updated copy of the noise management plan. **You will need to incorporate the Railhead and Wharf activities into ongoing noise management plans and monitoring.**

Natural Resources Wales will write to you separately regarding the Waste Exemptions that are registered in adjacent units. All activities, in principle, can be brought under a single 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](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.