

Compliance Assessment Report CAR_NRW0042793

Permit being assessed: GP3193MV.

For: M & R Commercials Vehicle Dismantling & Recycling Facility, held by T M Wiberg Limited

At: Plots P & W, Nant Y Felin, Swansea, W Glamorgan, SA5 4HG.

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

On 08/11/2023 between 11:00 and 12:00.

Parts of permit assessed: See Below

NRW Lead Officer: Michael Edwards, accompanied by Elaine Gunstone, Hugh Martin.

Report sent to: Mark Wiberg, TCM on 22/11/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.3
B4 - Infrastructure - Containment of stored materials	C2 Significant	2.3.1
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.5.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	4.2.2

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

Total number of non-compliances recorded	Total non-compliance score
4	43

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
C2	Ensure that the working plan is available to all members of staff as required under condition 1.1.3 of the permit	Already completed
B4	Ensure that wastes are stored inline with the conditions of the permit.	31/01/2024
C4	Ensure that the operating techniques are followed and that vehicles are depolluted to the standards set out under condition 2.5.1.	31/01/2024

Criteria	Action needed	Complete by
G4	Ensure that all missing waste returns are submitted to Natural Resources Wales.	31/01/2024

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.

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

Unannounced site inspection by Michael Edwards, Elaine Gunstone and Hugh Martin of Natural Resources Wales. Accompanied on site by Mark Wiberg operator of M&R Commercials.

Large volume of water on site following significant long periods of heavy rainfall, operator stated during the inspection that Siddell Environmental would be attending site to clear site drains.

General Management (C1, C2)

During the inspection officers requested a copy of the permit and EMS that the site operates under. The permit was available on request as required under **condition 1.1.3** however the EMS was unavailable.

This has been scored as a **category 3** breach of permit **condition 1.1.3**.

Since the inspection, the operator has provided confirmation that the EMS is now available to members of staff as required under the conditions of the permit.

Evidence of continuing competencies were provided on request as required under **condition 1.1.4**.

The fire prevention and mitigation plan was not reviewed during this inspection.

Storage of wastes and Operating Techniques (B4, C4)

As discussed on site, End of life (ELV) vehicle wastes must be stored on an impermeable surface with sealed drainage as required under **condition 2.3.1**.

Undepolluted ELVs were identified stored on an area of hardstanding, **under condition 2.3.1** and **table 2.3 - (4) Whole undepolluted and undamaged vehicles shall be stored on an impermeable pavement with;**

a) a sealed drainage system; or

b) a drainage system which discharges to surface water or to groundwater and is designed, constructed and maintained so discharged run-off does not adversely impact the water quality of

receiving water bodies, both during construction and when operational.

This issue has been identified in previous inspections, and has been scored as a **category 2** breach of permit **condition 2.3.1**.



Action – You must ensure that wastes are stored appropriately as required under the conditions of the permit.

Undepolluted vehicles evidenced by ELV's which still had batteries installed were also stored in a condition that would not allow further depollution treatment, you must follow the technical requirements set out under **condition 2.5.1** and **table 2.5** of the permit and fully depollute vehicles as outlined.

This has been scored as a **category 3** breach of **condition 2.5.1**.



Action – Ensure that operating techniques outlined under **condition 2.5.1** are followed.

Waste Returns and Reporting (G4)

Waste returns have not been received since 2015. Under **condition 4.2.2** *Within one month of the end of each year, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year.*

This issue was raised in the previous inspection. On this has been scored as a **category 3** breach of permit **condition 4.2.2**

Action – Submit all missing waste returns as required under the above condition.

Natural Resources Wales will consider its enforcement to the permit breaches detailed in the above report and you will be written to separately regarding these.

Many thanks for your time during the inspection.

END.

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.