

## Compliance Assessment Report CAR\_NRW0044130

**Permit being assessed:** JB3036RA.

**For:** Pen Y Wain Farm, **held by:** A Q A ( Cardiff ) Ltd

**At:** A Q A Autoparts, Pen Y Wain Farm, Ty Mawr Lane, Marshfield, Cardiff, Newport, CF3 2YF.

**Type of assessment:** Site Inspection,

**Reason:** Incident Response (Incident number 2401242).

**On:** 09/04/2024 between 11:00 and 12:30.

**Parts of permit assessed:** Various.

**NRW Lead Officer:** Chris Burge.

**Report sent to:** Mohammed Ali, TCM , on 29/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2A - Waste - Operations - Permitted activities	Assessed (A)	
W2D - Waste - Operations - The site	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

### 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

AQA incident Car Form

On Tuesday 9<sup>th</sup> April 2024 Officer Chris Burge and Enforcement apprentice Mark O’Gorman attended AQA (Cardiff) Ltd, Permit Number JB3036RA, Ty Mawr Lane, Marshfield, Newport to conduct an unannounced visit following an incident reported to Natural Resources Wales. This was undertaken as part of a pre-arranged multi-agency visit and was conducted with Neil Gunther - Newport Council Panning Enforcement Officer and Mike Coughlan - Newport Council Environmental Health Officer.

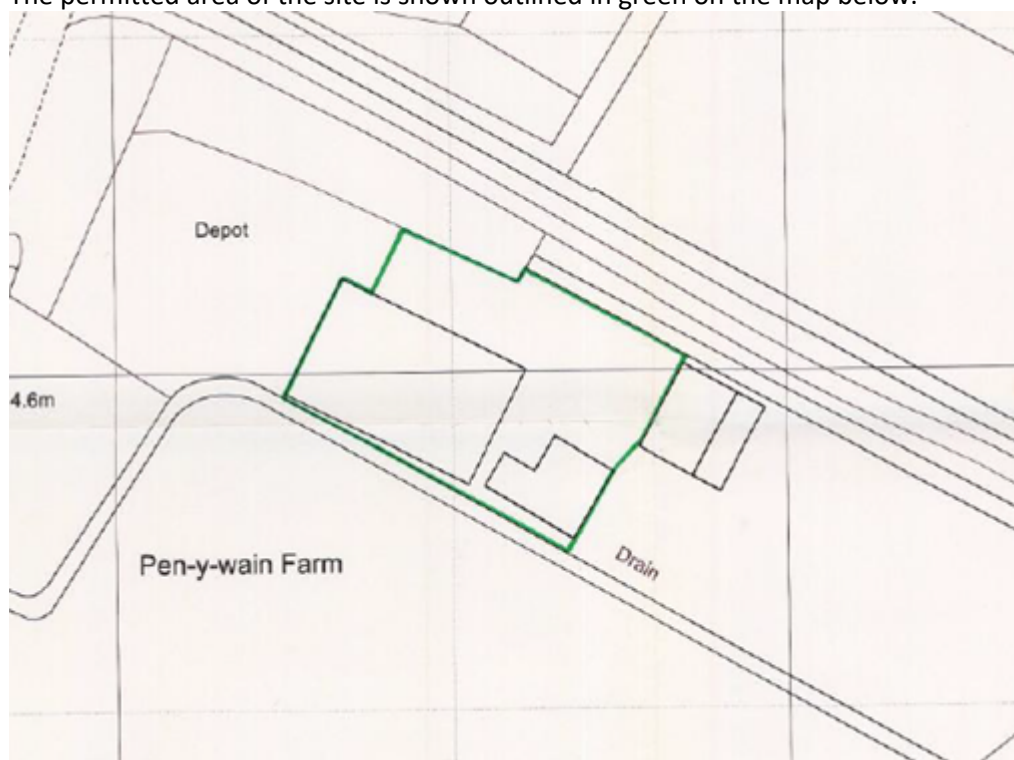
### INCIDENT REPORTED

Reports had been received by Natural Resources Wales that construction of a new building was taking place and activities were being carried out in breach of the Environmental Permit.

### SITE INSPECTION

On arrival Officers spoke to Mohammed Ali who identified himself as the owner and operator of AQA and Technically Competent Manager (TCM) Following a brief explanation as to the reason for the visit, Mohammed Ali explained his intentions to call Natural Resources Wales as AQA had not been operating for a number of months but having re-started to process vehicles again, he wanted us to be aware so that a visit could be arranged.

The permitted area of the site is shown outlined in green on the map below.



Although Marshfield Motors and AQA Ltd operate within the same large building, there are clear boundaries of operations. Marshfield Motors is accessed from the front whereas AQA is accessed via the gated area to the left (as you look at the building)

The alleged construction work that had been reported transpired to be repairs taking place of an old broken part of the building at the rear. Photograph 1 shows the work that has been carried out so far., This area will be used to store parts that have been removed from the depolluted vehicles. Further work still needs to be undertaken before its completion, including installation of a concrete floor and doors to provide security.



Photo 1

#### GENERAL OBSERVATIONS

The site appeared clean and well organised; the impermeable service was in a good condition as seen in image below.



All vehicle depollution is carried out within the building, which is bunded with an impermeable service, and only one vehicle at a time is depolluted as seen in photograph 2 below.



Photo 2

WAMITAB

At the time of the inspection Mohammed Ali explained he was the Technically Competent Manger and showed me his new certificate of which a photograph was taken. See below.



### SUMMARY

At the time of the site inspection all operations were being undertaken in line with the environmental permit. Officer Burge explained to Mohammed Ali that all future inspections to the site will be unannounced.

### CONTACT DETAILS

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Chris Burge, Waste Regulation Officer, [chris.burge@naturalresourceswales.gov.uk](mailto:chris.burge@naturalresourceswales.gov.uk), 03000 65 3904.

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.

**If your assessment result in Section 1 is suspended, what does this mean?**

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 Waste compliance criteria (used in section 1 and 2):**

**1. Management**

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

**2. Operations**

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

**3. Emission and Monitoring**

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

**4. Information**

- W4A – Records
- W4B – Reporting
- W4C – Notification

**Enforcement response**

Any non-compliance with a permit condition 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 twenty 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 to 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.