

Compliance Assessment Report CAR_NRW0044187

Permit being assessed: CB3097FG.

For: JD Jones Recycling, **held by:** JD Jones Metals Ltd

At: Highway House, Ferry Terrace, Waterloo, Pembroke Dock, Sir Benfro, SA72 6TY.

Type of assessment: Site Inspection,

Reason: Routine.

On: 25/04/2024 between 11:00 and 11:50.

Parts of permit assessed: See Below.

NRW Lead Officer: Michael Edwards, accompanied by Jolene Lewis.

Report sent to: Darren Jones, Permit Holder, on 09/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C3 Minor	1.1.3
W2E - Waste - Operations - Waste acceptance	Assessed (A)	
W2D - Waste - Operations - The site	C3 Minor	2.4.1
W3G - Waste - Emissions and monitoring - Fire	C3 Minor	3.4.1

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

Total non-compliances recorded	Total non-compliance score
3	12

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
W1A	Ensure that any person having duties that are or maybe affected by the matters set out in the permit shall have convenient access to a copy of them. This issue has been highlighted previously	28/06/2024

Criteria	Action needed	Complete by
W2D	Ensure that wastes are stored within the permitted boundary and on suitable surfaces are required under the conditions of the permit	28/06/2024
W3G	Ensure that the site operates in line with published FPMP guidance	Already completed

Compliance 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.

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

Unannounced site inspection undertaken by Michael Edwards and Jolene Lewis of Natural Resources Wales. Jake Jones arrived later during the inspection.

General Management - (W1A)

Officers requested copies of the current EMS and Permit on site, however were unable to be provided. Officers also requested information on the current TCM as Jake Jones was still aiming to complete his certification.

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

Action – Ensure that any person having duties that are or maybe affected by the matters set out in the permit shall have convenient access to a copy of them. This issue has been highlighted previously.

Action – Under **conditions 1.1.2** the site must maintain records demonstrating compliance with rule 1.1.1 and **condition 1.1.4** the operator must comply with the requirements of an approved competency scheme. As discussed on site, please provide information to Natural Resources Wales on the current Technical Competent Manager (TCM) for the site.

Waste Operations - (W2D, W2E)

Separated metal wastes, copper, lead etc. and batteries were stored within suitable containers within the building, on an impermeable surface as required under the conditions of the permit. Officer did not note issues with the condition of the impermeable surface under the waste at the time of the inspection.

A walk around the site officers identified a small amount of clean metal wastes that were outside the permitted boundary on the earthen bank at the rear of the site behind the weigh bridge. This has been scored as a **category 3 breach** of permit **condition 2.4.1**. As discussed on site, the wastes stored on site cannot extend beyond the permitted boundary of the site.



Action – Ensure that wastes are stored within the permitted boundary and on suitable surfaces are required under the conditions of the permit.

A non depolluted ELV was stored within the centre of the yard on the impermeable surface, under the conditions of the permit however the site must follow the technical requirements for depollution as stated in **condition 2.5.1** and **table 2.5**.

Fire - (W3G)

On arrival, officers noted a small, controlled fire on site within a burn barrel, the fire emitted no smoke and seemed to be used for a small amount of wood. Officers made the site employee aware that under the permit, the site was unable to have fires on site. *The rules do not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator.*

The employee doused the fire whilst officers were in attendance. This has been scored as a **category 3** breach of **condition 3.4.1**.

Following the identification of an ongoing fire on site, please provide NRW a copy of the current **Fire Prevention Plan** produced for the site under **condition 3.4.1**. This requirement was also requested during the previous inspection however NRW did not receive the information.

Thank you 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.

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 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.