

Compliance Assessment Report CAR_NRW0044809

Permit being assessed: MB3333DG.

For: The Old Forge, **held by:** Jonathan Mark Rees

At: The Old Forge, Monastery Road, Neath Abbey, Neath, West Glamorgan, SA10 7DW.

Type of assessment: Site Inspection,

Reason: Routine.

On: 19/07/2024 between 10:30 and 11:30.

Parts of permit assessed: W1A, W2A, W2C, W2D.

NRW Lead Officer: David Morgan.

Report sent to: Jonathan Rees, Operator, on 23/07/2024.

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	Assessed (A)	
W2A - Waste - Operations - Permitted activities	Assessed (A)	
W2C - Waste - Operations - Operating techniques	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**Introduction & Previous Contraventions of Environmental Permit**

A site inspection was undertaken on Friday 19th July 2024. The purpose of the inspection was to assess compliance of permitted activities as in several inspections prior to this, numerous contraventions have been recorded. Previous contraventions have been recorded for failing to maintain infrastructure and not operating in line with the site's Environmental Permit.

Generally, in previous inspections, infrastructure had been deemed unable to prevent pollution and that contaminated wastes were being stored on areas of the site that were not served by a sealed drainage system thus potentially causing a land contamination.

Contraventions of Environmental Permit conditions were recorded in the following previous site inspections:

- * 08/03/2024 (Compliance Assessment Report ref: NRW0043753) - Enforcement Action Pending
- * 29/06/2023 (Compliance Assessment Report ref: NRW0042083) - Enforcement Action Pending
- * 06/03/2023 (Compliance Assessment Report ref: NRW0041496) - Enforcement Action Pending
- * 26/05/2022 (Compliance Assessment Report ref: NRW0039961) - Formal Warning Issued

During the inspection of Friday 19th July, present on site were: David Morgan (Natural Resources Wales), Jonathan Rees (Operator) and Mark Tymkiv (Technical Competent Manager).

The following observations were made:

General Operations & Waste Storage

On Friday 19th July 2024, it was noted that the volume of waste on site had been greatly reduced since the previous inspection (8th March 2024). There was clear access to all areas of the site and waste was stored in segregated piles with some waste being stored in skips.

The site boundary wall (on the right hand side of the site upon entering) was accessible and an inspection of this area was undertaken. The boundary wall appeared to be in a good state, was not damaged, and appeared to be fully preventing the loss/escape of waste from site. The boundary wall also appeared to be secure so likely to prevent unauthorised access from off the site.

The Environmental Permit requires all waste that is stored on hardstanding areas to be uncontaminated wastes only. At the time of the inspection, there did not appear to be any

contaminated waste stored in the hardstanding areas of the site.

There was not visible signs of leaks/spillages of fluids and there were no patches of oil contaminating ground.

On this occasion, waste storage was assessed as compliant.

Although assessed as compliant on this occasion, you should monitor the site for any potential historical contamination of land. If at some point in the future, a land contamination causes a further pollution, you may be required to take mitigating measures to prevent the spread of such contamination.

You must ensure that any contaminated waste is not stored on hardstanding areas, and instead, contaminated wastes are stored on impermeable surfaces that are served by a sealed drainage system.

Site Infrastructure

Due to the nature of operations, and non-compliances recorded previously for leaks/spillages of oils etc., you must continue to monitor any potential land contamination. You must ensure hardstanding is engineered to a level that meets industry standards.

At the time of the inspection, the concrete pad had cleared and it was inspected in its entirety. The drainage chambers for the sump were made clearly visible and were accessible for further inspection. This system appears to be functioning well. A waste consignment note was viewed which evidenced a recent emptying of the underground sump.

You must ensure that all contaminated wastes that are received on site (oily vehicle parts, metals contaminated with cutting oils etc.) are stored on the impermeable pad.

On this occasion, site infrastructure has been deemed compliant.

Documentation, Management Plans and Next Inspection

As previous inspections have primarily been focussed on waste storage and infrastructure, it is likely that future inspections will be focussed on documentation and management systems. One aspect of operations that will be assessed in greater detail in future inspections is compliance with a Fire Prevention and Mitigation Plan (FPMP) that must be developed in line with relevant guidance.

Below is a link to current FPMP guidance:

<https://naturalresources.wales/media/684379/guidance-note-16-fire-prevention-mitigation-plan-english.pdf>

Natural Resources Wales is planning to undertake the next inspection of your site on Friday 6th December 2024. The focus of the inspection will be ensuring operations are compliant with relevant management systems and fire prevention plans.

Summary

After having recorded several contraventions of the Environmental Permit in previous inspections, operations and infrastructure appear to have been improved.

On Friday 19th July 2024, no non-compliances of the Environmental Permit were recorded. Please be aware, enforcement action from previous non-compliances is pending and we will contact you regarding this in coming months.

Natural Resources Wales is planning to inspect your site on Friday 6th December 2024.

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 1st 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.