

## Compliance Assessment Report CAR\_NRW0044818

**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:** Site Inspection,

**Reason:** Routine.

**On:** 19/07/2024 between 11:30 and 12:30.

**Parts of permit assessed:** W1A, W2A, W2C, W3A, W3B.

**NRW Lead Officer:** David Morgan.

**Report sent to:** Martin George, Site Manager, on 24/07/2024.

### 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	C3 Minor	2.1.1
W2C - Waste - Operations - Operating techniques	Assessed (A)	
W3A - Waste - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
W3B - Waste - Emissions and monitoring - Emissions of substances not controlled by emission limits	Assessed (A)	

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

Total 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
W2A	You must store all waste inside a building	26/07/2024

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.

**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 routine site inspection was undertaken on Friday 19th July 2024. Present at the time of the inspection were David Morgan (Natural Resources Wales) and Martin George (Site Manager).

At the time of the inspection, weather conditions were very dry with little or no wind.

An inspection of the yard was undertaken and the following observations were made:

### **Waste Storage**

The site has large volumes of throughput and it is acknowledged that there are logistical challenges in terms of storing and managing waste on site. The outside areas of the site drain to a lagoon with natural soakaway to ground and as a result, waste metal cannot be stored in open areas of the yard due to the potential contamination of land at the lagoon (via surface water run-off during periods of rain).

At the time of the inspection, waste metal was being stored outside. It was noted that this waste was being temporarily stored outside while other works were being undertaken in the building and photographic evidence was provided later in the day (in email) to show this waste was placed back in the building.

**A non-compliance (Category 3 - Minor)(Ref: W2A - Permitted Activities) was recorded against Condition 2.1.1 of the Environmental Permit**

As the weather conditions were dry (preventing rainfall and subsequent surface water run-off), and this was a temporary storage measure, this has been recorded as a minor non-compliance on this occasion.

**You must ensure that either operations or infrastructure are amended to maintain compliance with your Environmental Permit.**

### **Drainage Lagoon**

A visual inspection of the drainage lagoon was undertaken. The lagoon was free from any visible signs of contamination. There were no oils/greases/liquids or iridescence visible in the lagoon. There was also no odour present.

Oil/chemical absorbent mats and booms were in the lagoon next to the inlet, but it was noted that these were preventative measures and not placed there in response to a pollution.

Last year, Natural Resources Wales undertook sampling of this lagoon. We will provide the results of this sampling for your information. It is recommended that you routinely sample the lagoon to ensure drainage is working effectively and that the lagoon is not contaminating land.

### **Dust Management**

At the time of the inspection, the weather conditions were dry and had been for an extended period of time. When entering the processing shed, a large cloud of dust was seen at the entrance of the building. The dust was not escaping site.

On request, the dust suppression system was activated and was fully operational. The system quickly mitigated the impact of dust all throughout the building and prevented dust escaping the site.

### **Noise Monitoring**

Following the inspection, Natural Resources Wales received the most recent Noise Assessment for the site (assessment dated 14th December 2023).

Natural Resources Wales will now review this assessment and provide feedback in due course.

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](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.