

Compliance Assessment Report CAR_NRW0045537

Permit being assessed: BB3793ND.

For: Nevills Dock, **held by:** AMG Resources Ltd.

At: A M G Resources Ltd, Nevills Dock, Llanelli, Carmarthenshire, SA15 2HD.

Type of assessment: Site Inspection,

Reason: Routine.

On: 24/10/2024 between 10:00 and 11:10.

Parts of permit assessed: W1A, W3B, W3F.

NRW Lead Officer: David Morgan, accompanied by Jolene Lewis.

Report sent to: Adrian Stewart, Technical Competent Manager, on 05/11/2024.

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)	
W2C - Waste - Operations - Operating techniques	C2 Significant	2.3.1
W3F - Waste - Emissions and monitoring - Pests	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	31

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
W2C	Maintain site infrastructure (site surfaces) to ensure all waste is stored in line with permit condition 2.3.1	06/03/2025

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.

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

A routine site inspection was undertaken on Thursday 24th October 2024. Present at the time of the inspection were: David Morgan, Jolene Lewis (Natural Resources Wales) and Adrian Stewart (AMG Resources Ltd).

During the inspection, the following observations were made:

W1A - General Management

It was noted that volumes of waste on site had increased in recent months and that this is due to a significant commercial transition following the closure of a major outlet. This has resulted in waste being held on site for longer than is the usual working practice.

Although the volume of waste on site has increased since the previous inspection (21st June 2024), this did not appear to have a detrimental impact on the environment or local amenity. Generally, on site there was very little odour and no signs of pests (flies) during the visit.

Please ensure any amendments to working practices and onsite procedures are documented in your Environment Management System.

At the time of the inspection, all wastes were clearly segregated and conformed with the list of acceptable wastes in the Environmental Permit.

It was agreed that action would be taken to manage windblown litter on site that has escaped the main operational area.

W2C - Operating Techniques

The focus of previous inspections has largely been centred around pest management and the prevention and mitigation of flies and fly breeding on site. Pest management was assessed in this inspection (observations below), but one area of operations where compliance was assessed was site drainage.

In previous inspections, it has been noted that site drainage was not working effectively resulting in ponding of surface waters. Ponding of surface waters occurs in areas of the site where the impermeable surface is damaged and site surface water is pooling on unmade ground.

Condition 2.3.1 of your Environmental Permit ('Operating Techniques') states:

"...activities shall be operated using the techniques and in the manner described in Table 2.3 below."

Table 2.3 Operating techniques

1. Uncontaminated ferrous metal wastes or alloys and uncontaminated non-ferrous metal wastes shall be stored on hard standing or an impermeable surface. All other wastes shall be stored on an impermeable surface with sealed drainage system.
2. All wastes shall be treated on an impermeable surface with sealed drainage system.
3. Lead acid batteries shall be stored in containers with an impermeable, acid resistant base and a cover to prevent ingress of water.

Several areas of the site, where waste is stored and treated, are damaged and not impermeable. The site does not have an impermeable surface with a sealed drainage system as there is no underground storage unit (sump) and there is no connection to a foul sewer.

All wastes must be treated (including sorting) on an impermeable surface with a sealed drainage system.

AMG Resources Ltd accepts and treats metal waste from various commercial and industrial sources. Currently, any contaminated waste (scrap metal from industry etc.) is being stored and treated on areas of the site that have unmade ground.

This can cause a significant contamination of land.

A non-compliance has been recorded against Condition 2.3.1 of your Environmental Permit (Category 2 - Significant)(ref:W2C)

Standing water also has the potential to attract pests, namely flies, in warmer periods when there is a high risk of fly breeding.

You must develop a schedule of maintenance works and plan to ensure drainage meets the requirements of the Operating Techniques.

W3F - Pests

Natural Resources Wales has not received any recent reports of flies potentially emanating from site and having a detrimental impact on the local amenity.

In our last inspection, on 21st June 2024, officers did identify a sign of fly breeding when fly larvae was seen on baled cans. This was not recorded as a non-compliance as there did not appear to be any impact off site.

On the day of the inspection, on 24th October 2024, overall pest management measures were assessed as being compliant.

There was no signs of flies on site, despite a temporary backlog of waste having built up. The large pile of waste contraries had no signs of flies and was not odorous which suggests this material is generated and removed from site regularly.

Fly monitoring boards around the site indicated very low levels of houseflies on site. Fly capture bags were inspected and whereas several bags showed considerable amounts of flies had been captured, the bags did not display signs of weathering and/or signs of flies breeding in them which suggests these bags are replaced regularly.

It was agreed that a number of fly capture bags would be replaced following the inspection.

General housekeeping on site appears to be sufficient. Concrete A-frames in storage bays were mostly free from waste and had been recently cleared.

It was advised that this maintenance, as well as wider litter picking on site, continue to be undertaken regularly.

Summary

It is noted that the business has undergone a period of transition as outlets have changed. This has led to a backlog of material temporarily building up on site, but this does not appear to be having a negative impact on the local environment.

Site drainage needs to be reviewed and addressed with a schedule of maintenance works and long term to ensure the Environmental Permit can be complied with. The site does not have an impermeable surface with sealed drainage system. Several areas of the site have unmade ground and surface water run-off from any contaminated wastes has the potential to cause a land contamination.

Pest Management mitigation measures were inspected and assessed as compliant at the time of the inspection.

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.