

Compliance Assessment Report CAR_NRW0045743

Permit being assessed: CB3096FU.

For: R & J Metals, held by R and J Metals Ltd

At: Dock Yard estate, Briton Ferry Industrial Estate, Briton Ferry, Neath, Castell-nedd Port Talbot, SA11 2HZ.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 28/11/2024 between 10:00 and 11:00.

Parts of permit assessed: W1, W2 & W4

NRW Lead Officer: David Morgan.

Report sent to: Richard O'Brien, Site Manager on 02/12/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	Assessed (A)	
W2A - Waste - Operations - Permitted activities	Assessed (A)	
W2C - Waste - Operations - Operating techniques	C3 Minor	2.3.1
W2D - Waste - Operations - The site	Assessed (A)	
W2E - Waste - Operations - Waste acceptance	Assessed (A)	
W4A - Waste - Information - Records	Assessed (A)	

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

Total number of 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
W2C	Ensure areas of impermeable surface that are damaged are not used for waste storage and ensure leaks and spillages of oils/liquids are cleared	19/12/2024

Action 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 Thursday 28th November 2024. Present at the time of the inspection were: David Morgan (Natural Resources Wales), Richard O'Brien (R&J Metals) and the Technical Competent Manager (Mark Tymkiv).

On Thursday 28th November 2024, the following observations were made:

Site Infrastructure & Drainage

Despite experiencing heavy rain in the days prior to the inspection, there did not appear to be any ponding/pooling of surface water on site which suggests the drainage system for the site is working effectively.

One small section of the open channel drain contained debris, but on identifying this blockage, site operatives cleared the drain and demonstrated the system working effectively with water from mains.

An area in the middle of the site, where previously metal waste was tipped upon arrival, is damaged. It was noted that this area has been closed off and waste is no longer deposited, stored or treated (sorted) in this area of the site. We discussed planned concreting works that are due to take place in the next period of dry weather.

In a concrete bay, on the right side of the site, there was a small area where the site surface was damaged. Also, there was a minor build up of oil which is leaching into the unmade ground. This area should be cleared with spillage kits used.

A non-compliance of the Environmental Permit was recorded against Condition 2.3.1 of the Environmental Permit (Category 3 - Minor)(Ref: W2C - 'Operating Techniques')

Condition 2.3.1 of the Environmental Permit states:

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

8. Spillage collection facilities shall be provided and used to deal with any spillage of vehicle fluids.

9. All wastes shall be treated on an impermeable surface with sealed drainage system."

To become compliant with your permit, you must not store or treat (including sorting) waste in areas of the site where the impermeable site surface is damaged. Also, spillages of oil should be dealt with to prevent a contamination of land.



Apart from some minor damage, site surface, generally, appeared to be well maintained and free from cracks and other damage.

Waste Storage

Generally, there was a relatively small volume of waste on site. All waste types on site appeared to conform with the list of acceptable wastes in the Environmental Permit.

In one bay, on the far left side of the site (upon entering site), a number of vehicle engines were being stored in a concrete bay. It was noted that these engines would likely be exported. Although non-waste, the engines and wider storage area were free from any significant leaks/spillages of oil.

Previous Inspection

In the last inspection, on 8th January 2024 (report reference: CAR_NRW0043142), a non-compliance was recorded as site boundary fencing was damaged (site security/unauthorised access) and this had not been identified in site daily/weekly inspection checks.

The boundary fence has now been repaired and this was assessed as compliant on 28th November 2024.

Summary

An inspection was undertaken on 28th November 2024 and operations on site were assessed as largely compliant with the Environmental Permit.

One minor non-compliance was recorded as small area of the site surface was damaged an oil appeared to be leaching into the unmade ground underneath. To become compliant, you must temporarily move operations away from this area, use spillage kits to remove all oil/liquids and then resurface this area. It was noted this was minor in nature as the area that was damaged was small.

It is likely that the focus of the next inspection will be on site drainage, viewing a vehicle de-pollution audit and witnessing the site daily/weekly inspection checks.

Prior to the next inspection, please ensure you have recent and up to date copies of the site drainage plans available. Please also ensure all drainage chambers and channels are cleared and accessible for 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.

What are suspended scores?

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 Industry and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.