

Compliance Assessment Report CAR_NRW0045754

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 carried out: Site Inspection, Reason: Routine.

On 29/11/2024 between 13:00 and 14:00.

Parts of permit assessed: W1, W2 & W3

NRW Lead Officer: David Morgan.

Report sent to: Martin George, Site Manager on 03/12/2024.

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 | C3 Minor | 2.1.1 |
| W2D - Waste - Operations - The site | 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 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 |
|----------|--------------------------------------------|-------------|
| W2A | You must store all waste inside a building | 21/03/2025 |

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 site inspection was undertaken on Friday 29th November 2024. Present at the time of the inspection were David Morgan (Natural Resources Wales) and Martin George (Site Manager, Morris & Co.).

Waste Storage

The purpose of this inspection was to assess compliance of operations in line with the conditions of the Environmental Permit, specifically in relation to waste storage.

In previous inspections, Natural Resources Wales has on several occasions witnessed waste materials being stored outside in the open yard. The storage of waste outside is in contravention of the Morris & Co. Environmental Permit.

It is noted that although non-compliant, risk associated with storage of waste outside has reduced from being significant in recent years to being minor, however, there remains a potential for operations (namely waste being stored outside the building) to have a detrimental impact on the environment and nearby amenity.

You must permanently change operations so all waste is stored inside a building, in line with your Environmental Permit.

During the inspection of Friday 29th November 2024, waste was being stored outside in the yard.

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

This waste, described as '*aggregate mixed non-ferrous*', has been building up on site for some time and should be removed from site.

This material, when dry, contains large volumes of a brown/orange dust that is present in high volumes around the site.

Dust Management

During the inspection on 29th November 2024, it was noted that a high volume of dust had settled on site. Dust has built up on vehicles, plant, equipment in site offices. The centre of the yard is heavily laden with mud and dust.

In the previous inspection, a demonstration was given of dust suppression within the main building. On that occasion, dust suppression within the building appeared to be effective. As waste is being stored and potentially treated in outside areas, it has led to dust building

up on site.

A non-compliance for this aspect of operations has not been recorded on this occasion as the impact of dust off site in the nearby amenity was not assessed, however, it is likely that dust management (especially in outside areas) will be the focus of future site inspections.

It is recommended that you now develop a specific Dust Management Plan for the site.

If at a certain point, Natural Resources Wales confirms that operations are giving rise to dust that causes a pollution offsite, we will require that a Dust Management Plan be developed for the site.

Please refer to Condition 3.1.2 of your Environmental Permit:

3 Emissions and monitoring

3.1 Emissions of substances not controlled by emission limits

3.1.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

3.1.2 The operator shall:

- (a) if notified by Natural Resources Wales that the activities are giving rise to pollution, submit to Natural Resources Wales for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits;
- (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

Site Drainage Lagoon

A visual inspection of the site drainage lagoon was undertaken and appeared to be free from any contaminants (that would appear visually such as oils/greases etc.).

We may wish to take Formal Samples of the lagoon in a future inspection but it is recommended that you undertake regular samples to ensure any contamination, that will not be captured by the interceptor (i.e. heavy metals/chemicals) is identified with mitigating action taken.

Summary

The site has an ongoing issue with waste being stored in outside areas of the yard which is in contravention of the Environmental Permit. It is noted that on this occasion, although waste was being stored outside, this was in lower volumes than previously witnessed on

site.

You must think of a long term solution to waste storage.

Storing waste outside has the potential to cause a land contamination (if contaminants are not captured by interceptor prior to discharge to the lagoon). It is reasonable to assume waste being stored outside could also contribute to dust potentially emanating from site and impacting the local environment and amenity.

It is recommended that you develop a site specific Dust Management Plan. Dust management will likely be the focus of future inspections.

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 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.

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.