

## Compliance Assessment Report CAR\_NRW0045869

**Permit being assessed:** CB3297HZ.

For: Carmarthen Metal Recycling, held by Airfield Metals Limited

At: Cillefwr Road West, Cillefwr Industrial Estate, Johnstown, Carmarthen, SA31 3RB.

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

On 10/12/2024 between 13:00 and 13:40.

Parts of permit assessed: General Management, Operating techniques, Materials acceptance and reporting

**NRW Lead Officer:** David Ellar, accompanied by Hugh Martin.

**Report sent to:** Nening Jones, Director on 20/12/2024.

### 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	C3 Minor	1.1
W2C - Waste - Operations - Operating techniques	C3 Minor	2.3 and table 2.3.1
W4B - Waste - Information - Reporting	C3 Minor	4.2.2
W4C - Waste - Information - Notification	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
3	12

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
W1A	Submit Written Management System (EMS) to NRW	31/03/2025
W2C	The impermeable pavement must be repaired and maintained. Please contact NRW detailing plans of how and when the pad maintenance improvements will be put in place.	31/03/2025
W4B	Submit annual waste returns	31/03/2025
W4C	Please confirm who current TCM is and forward technical competence certification to NRW	31/01/2025

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 routine site inspection was undertaken on Tuesday 12 December 2024 to assess compliance against a Standard Rules permit SR2012 No14 (Permit No: CB3297HZ) held by Airfield Metals Limited. Present at the time of the inspection were: David Ellar and Hugh Martin (Natural Resources Wales) and Albert (Carmarthen Metal Recycling).

**Permit Breaches:****W1A – General Management – Cat 3; Permit Condition 1.1.1**

You have been given this category 3 breach under the above condition because no written management system (EMS) is in place for the waste operation. Condition 1.1.1 of your permit states:

The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.

**Action: Submit EMS to NRW****W2C – Operating techniques – Cat 3, Permit Condition 2.3 and table 2.3.1**

You have been given this category 3 breach under the above condition because the impermeable pavement was seen to be damaged in several areas and in need of maintenance. Albert said he was aware of the issue and plans were in place to maintain, improve and expand the pad. Section 2.3, table 2.3 (5) (b) states: a drainage system which discharges to surface water or to groundwater and is designed, constructed and maintained so discharged run-off does not adversely impact the water quality of receiving water bodies, both during construction and when operational. The impermeable pavement has not been maintained in accordance with this and is in need of maintenance.

**Action: The impermeable pavement must be repaired and maintained. Please contact NRW detailing plans of how and when the pad maintenance improvements will be put in place.**

**W4B – Reporting – Cat 3, Permit condition 4.2.2**

You have been given this category 3 breach under the above condition because no waste return data has been submitted. Section 4.2.2 states Within one month of the end of each year, the operator shall submit to Natural Resources Wales using the form made available

for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous year.

**Action: Submit annual waste returns****Previous inspection**

2 x category 3 permit breaches were recorded during our previous inspection, one for storage of ELV waste, and another for lack of maintenance to your impermeable pad. Please see Compliance Assessment Report CAR\_NRW0042979 for more detail.

All ELV were now stored on impermeable pad however maintenance of the pad was still lacking and is again recorded as a permit breach.

**General observations**

The weather was wet with significant rainfall occurring over the past few days. NRW officer were accompanied around site by site Manger Albert.

**Materials Acceptance**

All wastes appeared to conform with the list of acceptable wastes as described in the Environmental Permit.

**Site Drainage & Infrastructure**

The inspection on took place during a period of consistent heavy rain. Despite the recent high volume of rain, there was no significant ponding or pooling of water on site.

It was seen during the inspection that impermeable pavement was seen to be damaged in several areas and in need of maintenance. Albert said he was aware of the issue and plans were in place to maintain, improve and expand the pad. This issue was previously identified during our last visit but the situation has not improved.

The impermeable pavement must be repaired and maintained. Please contact NRW detailing plans of how and when the pad maintenance improvements will be put in place.

Photograph of damaged impermeable pad:



## TCM

Gareth Danter Hill is noted as TCM for the site but NRW have information to suggest he may no longer be, can the operator please confirm who the current TCM for site is and include copies of Technical Competence Certification and Continued Competence.

Thank you for your time during the inspection.

End of report

**In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.**

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](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.