

Compliance Assessment Report CAR_NRW0046595

Permit being assessed: MP3894VQ.

For: Old Barry Sidings, **held by:** R R Davies Ltd

At: Hopkinstown, Pontypridd, Mid Glamorgan, CF37 2PE.

Type of assessment: Site Inspection,

Reason: Routine.

On: 07/03/2025 between 11:15 and 12:00.

Parts of permit assessed: W1A, W2A.

NRW Lead Officer: Magda Leonowicz.

Report sent to: Robert Davies, Site Manager/Director Old Barry Sidings , on 14/03/2025.

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 | C2 Significant | The permit condition C1 states: 'The licence holder shall operate the facility in accordance with the working plan as approved by the Waste Regulation Authority and attached to this licence. The licence holder shall obtain approval from the Waste Regulation Authority for any proposed change in the actual conduct of the operations from the proposals approved in the working plan, as altered by any previously approved changes before the proposed change is implemented.' |
| W2A - Waste - Operations - Permitted | C2 Significant | Conditions C15 of your |

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition |
|--|-------------------|---|
| activities | | permit states; 'The facility shall be suitably organised to provide segregated storage areas for the various wastes. These areas shall be separated either by a distance of not less than 0.6 metres or by a permanent partition wall of adequate construction' |
| W3B - Waste - Emissions and monitoring - Emissions of substances not controlled by emission limits | C3 Minor | Condition C11 of the permit states: Site drainage arrangements shall be constructed and maintained so that water does not accumulate at the facility. These shall include interception of contaminated surface water and spillages, to prevent contamination of the drainage system, or any water course or ground water. |

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

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 3 | 66 |

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 | Please provide and up to date Environmental Management System, The Fire Prevention and Mitigation Plan as a separate, standalone document and the details of a person who acts up as a technically competent manager and holds up to date qualifications. Once you provide the FPMP, I will review it as part of the EMS review. | 18/04/2025 |
| W2A | Please ensure that the various waste streams received on site are stored appropriately, taking into consideration the requirements set out in your permit and in accordance with the How to Comply with Your Environmental Permit guidance. | 18/04/2025 |

| Criteria | Action needed | Complete by |
|----------|---|-------------|
| | How to comply with your environmental permit. | |
| W3B | Please inform me when the maintenance work on the drainage system begins in order to discuss further steps. | 16/05/2025 |

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

This Compliance Assessment Report Form has been completed following a site inspection undertaken on the 7th of March 2025 at Old Barry Sidings, Pontypridd. Permit Number EPR-MP3894VQ.

Present:

Robert Davies - Site Manager/Director Old Barry Sidings

Magda Leonowicz - Natural Resources Wales

Dewi Williams - Natural Resources Wales

Purpose of the visit

The main purpose of the visit was a routine site inspection. This was an unannounced multiagency inspection. The regulatory portion of the inspection was conducted by Magda Leonowicz, South Central Waste Regulation Officer, accompanied by Dewi Williams, a Tackling Waste Crime Officer from the South Central Waste Regulation Team.

Background:

The permit held by R.R. Davies at Old Barry Sidings is for the operation of an End-of-Life vehicle (ELV) and Scrap Metal Recycling Facility. It is clear that the current active permit for the site is outdated and in need of modernisation.

1.W1A – General management

The permit condition C1 states:

'The licence holder shall operate the facility in accordance with the working plan as

approved by the Waste Regulation Authority and attached to this licence. The licence holder shall obtain approval from the Waste Regulation Authority for any proposed change in the actual conduct of the operations from the proposals approved in the working plan, as altered by any previously approved changes before the proposed change is implemented.'

Management system breaches are often the root cause of other types of breaches, where poor management systems or their implementation has resulted in a permit breach.

Category 2 score has been given as a root cause breach for the C1 Condition of the permit under W1A – General management because:

1.1 Environmental Management System (EMS)

Your Environmental Management System (EMS) is not up to date. You must have an EMS that is written in line with *How to comply with your Environmental Permit* guidance [How to comply with your environmental permit](#). It must include the site plan and description of all the activities, risks and mitigation measures carried out at the site i.e. storage and depollution of ELVs, separation and storage of hazardous waste etc.

1.2 Fire Prevention and Mitigation Plan (FPMP)

As part of the guidance '*How to comply with your Environmental Permit*' [How to comply with your environmental permit](#) you need to produce a Fire Prevention and Mitigation Plan (FPMP) in accordance with the Fire Prevention and Mitigation Plan guidance' [Guidance No. 16 Fire prevention and mitigation plan - waste management](#).

The guidance '*How to comply with your Environmental Permit*' states:

Fires are a key issue at waste operation sites and you must ensure you have measures to prevent fires such as fire breaks and maximum storage quantities. Your accident plan must clearly cover what you will do in the event of a fire;

In addition the '*Fire Prevention and Mitigation Plan guidance*' applies to operators that store any amounts of combustible waste materials including:

- waste metals (end of life vehicle (ELV) sites and scrap metal).'

1.3 Technically Competent Manager (TCM)

The site does not have a current TCM, who holds valid technical qualifications. Natural Resources Wales (NRW) needs details of a technically competent manager for the site, who holds up to date qualifications.

Action:

Please provide and up to date Environmental Management System, The Fire Prevention and Mitigation Plan as a separate, standalone document and the details of a person who acts up as a technically competent manager and holds up to date qualifications. Once you

provide the FPMP, I will review it as part of the EMS review.

2. W2A - Permitted activities

Conditions C15 of your permit states; *'The facility shall be suitably organised to provide segregated storage areas for the various wastes. These areas shall be separated either by a distance of not less than 0.6 metres or by a permanent partition wall of adequate construction'*

Category 2 breach has been given for the C15 Condition of the permit under W2A - Permitted activities because:

While on the site, my observation was that the operator failed to restrict or limit the permitted activities for storage and separation of waste. Please see the details below:

2.1 Scrap Metal Pile

During the visit, I observed large volumes of waste stored at the site, which was not in compliance with the permit condition C15. The scrap metal pile measured approximately 6 meters high and 20 meters long. There was no segregation of waste materials, nor were separation distances between different waste types implemented.

Additionally, I noticed the presence of hazardous waste, such as circuit boards, mixed within the scrap metal pile. Furthermore, a few ELV shells were stacked on top of the scrap metal pile, which was a breach of the permit condition D.39.

Please be reminded that the total quantity of waste accepted at the site must not exceed 25,000 tonnes per year, as specified in the permit variation dated 04/10/2011.

Please see the photographs below for reference.





2.2 Storage of End of Vehicles (ELV's)

The storage of End-of-Life Vehicles (ELVs) was not in compliance with the permit conditions:

- D.38: *"Vehicle bodies shall not be stored more than two vehicles high."*
- D.39: *"Vehicle shells shall not be stored more than three shells high."*

I observed that any ELVs were not stored in a designated area, making it difficult to distinguish between depolluted and undepolluted vehicles. Some depolluted ELV shells were stored next to the scrap metal pile, but no separation distance was implemented.

Upon closer inspection, I noticed liquids dripping from the shells, indicating poor depollution practices, despite the company having high-quality vacuum suction equipment for ELV depollution. Additionally, I observed that one ELV shell contained an expansion tank still full of liquid.

Please see the photographs below for reference.



Storage of undepolluted ELV's



Storage of depolluted ELV shells.



Depolluted ELV - Liquid present under the shell.



Depolluted ELV - liquid still present in the cooling system.

2.3 Storage of batteries

While most batteries were stored in appropriate containers (acid-resistant, double-skinned boxes) within the building, a few containers without lids were kept outside, allowing rainwater to enter.

Please see the photographs below for reference.





Batteries stored in the building.



Batteries stored outside the building.

Action - Please ensure that the various waste streams received on site are stored appropriately, taking into consideration the requirements set out in your permit and in accordance with the *How to Comply with Your Environmental Permit* guidance. [How to comply with your environmental permit.](#)

3.W3B - Emissions of substances not controlled by emission limits

Condition C11 of the permit states: Site drainage arrangements shall be constructed and maintained so that water does not accumulate at the facility. These shall include interception of contaminated surface water and spillages, to prevent contamination of the drainage system, or any water course or ground water.

Category 3 breach has been given for the C11 Condition of the permit under W3B - Emissions of substances not controlled by emission limits because:

While on-site, I observed standing water in the middle of the yard. Any surface water on-site is supposed to drain through an interceptor via a silt trap located in the middle of the yard.

The facility receives a significant amount of sediment due to its location at the foot of a hill, which discharges large volumes of rainwater through the site. The site is also situated next to the Rhondda River. This, combined with the types of pollutants emitted at your facility, poses a potential risk of pollution to the river.

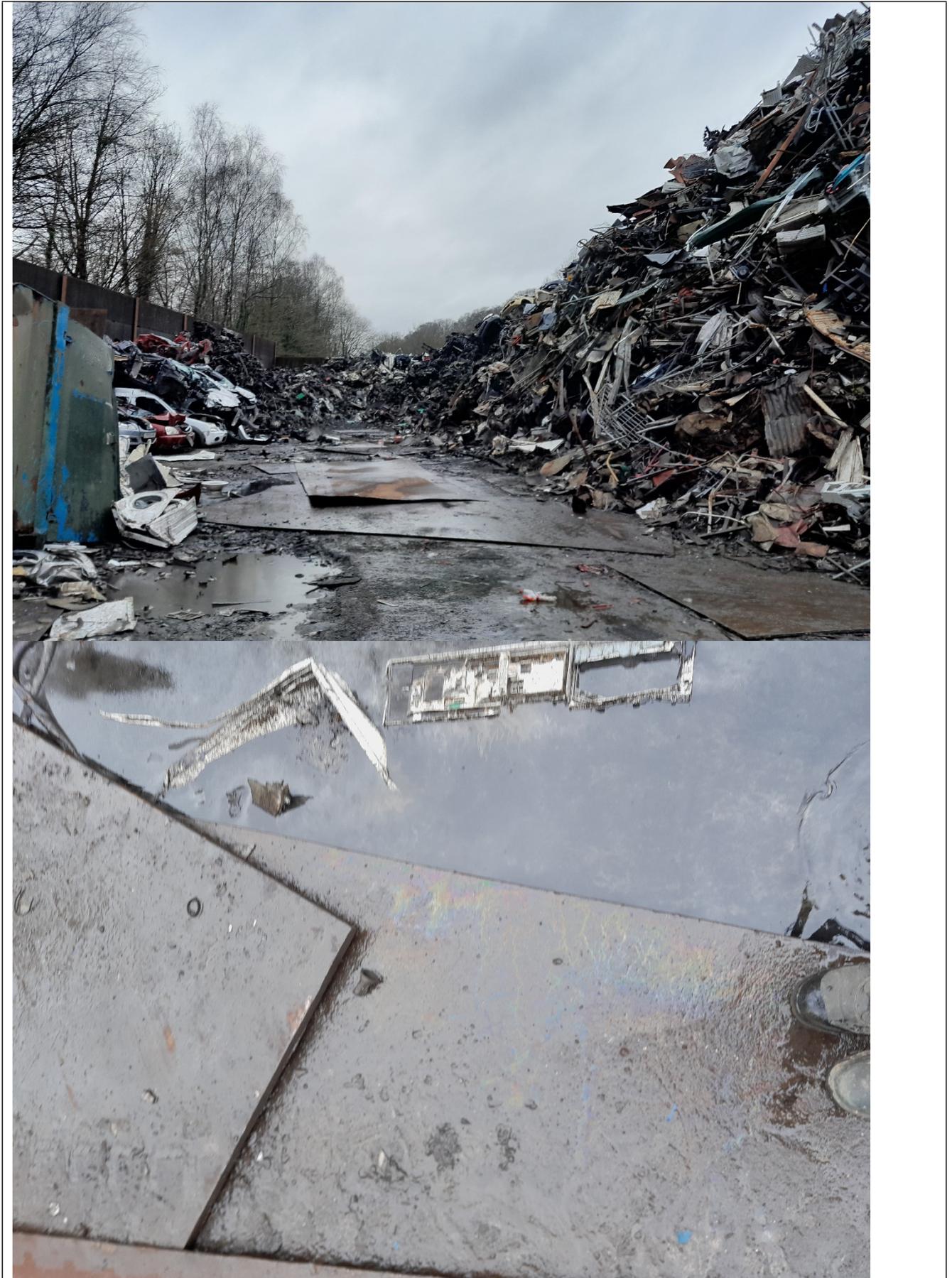
While on-site, I spoke with Mr. Davies regarding their plans for repairing and maintaining both the site's surface and drainage system. The works are expected to commence within two months.

I noted that the waste transfer notes (WTNs) for the interceptor waste were provided and were up to date. WTNs indicate that interceptor waste is removed from the site annually. However, except for the interception waste removal the drainage system also requires regular maintenance checks and cleaning, but no evidence of this was provided during the visit.

Action:

Please inform me when the maintenance work on the drainage system begins in order to discuss further steps.

Please see the photographs below for reference.





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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.