

## Compliance Assessment Report CAR\_NRW0038123

**Permit being assessed:** CB3097FG.

For: JD Jones Recycling, held by JD Jones Metals Ltd

At: Highway House, Ferry Terrace, Waterloo, Pembroke Dock, Sir Benfro, SA72 6TY.

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

On 05/05/2021 between 14:00 and 15:00.

Parts of permit assessed: See Below

**NRW Lead Officer:** Michael Edwards, accompanied by Jonathan Willington.

**Report sent to:** Darren Jones, Operator on 11/05/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C3 - General Management - Materials acceptance	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
D1 - Incident Management - Site security	Action only (X)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	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
0	0

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
C2	Submit the EMS and FPMP to NRW as required	31/05/2021
D1	Notify NRW once fencing is installed.	31/05/2021

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.

**At this time, we do not intend to take any further action.**

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

Arranged site inspection of JD Jones Recycling. In attendance, Michael Edwards and Jonathan Willington of Natural Resources Wales along with site operators Darren and Jake Jones. This is the first inspection since the permit has been granted.

#### **C2 - Management System and operating procedures**

**Under condition 1.1.1 a)** the operator is required to operate activities in a manner that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents incidents...to the attention of the operator as a result of complaints". As we discussed, Ben Rees of Geotechnology is in the process of producing both an Environmental Management System (EMS) and a Fire Prevention and Mitigation Plan (FPMP) **(as required under condition 3.4)**

**Action** - These documents are to be submitted to NRW by **31st May 2021**.

#### **C1 - Staff competency/ training**

**Under condition 1.1.4** the operator is required to comply with the requirements of an approved competency scheme. Gareth Danter-Hill is currently acting TCM whilst Jake Jones prepares for WAMITAB qualifications.

#### **B1 - Engineering for the prevention and control of Emissions/B3 - Site drainage engineering (clean and foul)**

**Under condition 2.3.1** the activities undertaken as part of the operation must be done in a manner described in **Table 2.3**. The site benefits from a fully concreted impermeable surface with drainage to foul via a three-stage interceptor. Paperwork demonstrating discharge consent was provided to officers on site.

During the inspection no wastes were stored outside of the permitted boundary in line with **Condition 2.4.1**.

**Under condition 2.5.1** as a minimum, all ELV's (End of Life Vehicles) shall be treated to the standards set out in **Table 2.5**. As was discussed, depollution of End of life vehicles must be done in an appropriate manner as detailed in the End of life vehicle Directives 2000. Guidance is available on the following link: [Environmental permitting guidance: The end-of-life vehicles directive - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/guidance/environmental-permitting-guidance-the-end-of-life-vehicles-directive)

**Amenities F1 - Odour and F2 - Noise.**

Under the conditions set under **Section 3** of the permit, emissions from the on site activities shall not give rise to pollution these include odours (**Conditions 3.2**) and Noise and Vibrations (**Conditions 3.3**) no odours were detected during the inspection.

Under **condition 3.1.3** all liquids in containers, whose emissions to water or land could cause pollution shall be provided secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

As was discussed during the inspection, the operator is now required to ensure records of demonstrating compliance with the conditions of the permit are kept to the standards outlined under **condition 4.1.1** and must keep these records on site along with the management system required to be maintained by the permit as required under **condition 4.1.2**.

Under **condition 4.2.2** of the permit, the operator is now required to submit annual waste returns.

Guidance on how to complete and submit these spreadsheets is available on the following link:

[Natural Resources Wales / Submit your waste return](#)

**Other**

Further to the compliance inspection, we also discussed several points on the guidance documents available to you to help ensure that you remain compliant with the conditions of the permit. Please see below for more information;

'How to comply with your Environmental Permit' this guidance explains the conditions or rules of your environmental permit. It describes the standards and measures you must use to control the most common risks of pollution from your activity and how to comply with conditions of the permit.

[How to comply with your environmental permit \(cyfoethnaturiol.cymru\)](#)

Guidance on the minimum appropriate measures required to be put in place by waste operators to ensure that on site fires are prevented. The guidance will be used by the Fire and Rescue Services in Wales and Natural Resources Wales to ensure that waste facilities meet the required standards.

[Guidance No. 16 Fire prevention and mitigation plan - waste management \(naturalresources.wales\)](#)

As discussed on site, the operator may be required to register as a hazardous waste producer as a result of the on site activities. Guidance on who is required to register is available on the following link:

[Natural Resources Wales / Register or renew as a hazardous waste producer](#)

Should you require more information, please do not hesitate to contact me.

Many thanks for your time during the inspection.

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.