

Compliance Assessment Report CAR_NRW0038037

Permit being assessed: GP3193MV.

For: M & R Commercials Vehicle Dismantling & Recycling Facility, held by T M Wiberg Limited

At: Plots P & W, Nant Y Felin, Swansea, W Glamorgan, SA5 4HG.

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

On 29/04/2021 between 12:50 and 14:05.

Parts of permit assessed: Routine regulatory visit

NRW Lead Officer: James Kinkead, accompanied by David Ellar.

Report sent to: Mal Wiberg, Site owner on 19/05/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B3 - Infrastructure - Site drainage engineering (clean and foul)	C2 Significant (Suspended)	2.3.1
B4 - Infrastructure - Containment of stored materials	C2 Significant	3.1.3
C4 - General Management - Storage, handling labelling and Segregation	C2 Significant	2.4.1

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

Total number of non-compliances recorded	Total non-compliance score
3	62

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
B3	Installation of interceptor and improvement of sealed drainage system. Provide NRW with action plan including date by which work can be completed.	11/08/2021
B4	Ensure all liquids with potential to pollute are provided with secondary containment and that steps are taken to prevent spillages.	11/08/2021
C4	Ensure wastes are removed from the site boundary to the neighbouring Brenntag UK Limited site. Ensure that no waste materials are stored outside the green boundary as outlined in your permit.	11/08/2021

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.

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

A routine inspection of M&R Commercials Vehicle Dismantling & Recycling Facility, Fforest-fach, Swansea, SA5 4HL was carried out on 29/04/2021 by NRW Waste Regulation officers James Kinlead and David Ellar. The site is operated under a SR2011 No.03 permit (EPR-GP3193MV).

NRW officers attended the site and were met later on in the visit by Mal Wiberg of M&R Commercials (TM Wiberg Ltd).

The weather in the days prior to the visit was dry. The purpose of the visit was a routine general inspection, and to ask the site about drainage plans that were addressed in previous site visits in 2019 and 2020.

Site drainage and infrastructure.

A concrete pad spans the sides and rear of the main site building/shed and is currently served by a single interceptor. NRW has previously discussed the need for improved drainage on site, and to ensure that all wastes required to be stored on an impermeable surface with sealed drainage are done so.

In particular, the current drainage system is prone to over-capacity in the winter, and so it was planned in 2019/2020 that an additional interceptor would be installed. This interceptor is on-site but is yet to be installed due to covid-19 complications with the contractor. Mal however advised that the site was hoping to get this installed this summer. As the required sealed drainage system improvements have not been met, NRW will score this as a **category 2 breach of condition 2.3.1** of the site permit. This has been scored under category **B3 (site drainage and engineering)**. As the interceptor is on site, and assurances have been given that the work will be completed this summer, this cat. 2 score has been suspended until 11/08/2021. **Action: please provide NRW with an action plan for installation of the interceptor on site, and provide a date by which this work will be completed.**



Image 1 : sites new interceptor due to be installed.

Storage and handling of wastes on site.

It was observed that a container with secondary containment was being used in the indoor ELV depollution area to store engine oils. However, a number of IBCs and other containers of waste fluids/oil were observed both inside the main shed and outside. These containers are neither double skinned or banded/stored with secondary containment to hold 110% of their volume. This breach has also been highlighted in previous site inspections in 2020 and 2018. This has therefore been given a **category 2 score in breach of condition 3.1.3 of your permit**. This has been scored under **category B4 – containment of stored materials**. **Action: ensure all liquids with potential to pollute are provided with secondary containment and that steps are taken to prevent spillages. Suitable double skinned containers are available for use on the site already according to staff.**



Image 2: containers of waste fluids/oil stored without secondary containment.



Image 3: containers of waste fluids/oil

stored without secondary containment.

Permitted waste area.

The Map below is a copy of the permitted site boundary taken from your permit (EPR- GP3193MV).

Condition 2.4.1 of your permit specifies that wastes cannot be stored beyond the land shown in green on the site plan. Waste materials/engines and scrap vehicles are being stored in the area of land close to the site boundary with the neighbouring Brenntag Chemicals site. This is an area marked in red in on the site plan, poses a risk to the neighbouring site in the event of a fire and has previously been highlighted in a report in 2020. As such, we are scoring this as a **category 2 breach of condition 2.4.1 of your permit under category C4 – Storage, handling, labelling and segregation. Action: ensure wastes are removed from the site boundary to the neighbouring Brenntag UK Limited site. Ensure that no waste materials are stored outside the green boundary as outlined in your permit.**



Map 1: copy of site boundary map taken

from permit EPR-GP3193MV.

These breaches have been scored on previous occasions without progress. As such, NRW will now need to

consider further enforcement action to bring the site into compliance. Please take note of the above actions and work with us to take action to remove the risk of pollution at the site.

Thank you for your time during the inspection.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

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.