

Compliance Assessment Report CAR_NRW0038551

Permit being assessed: AB3895CN.

For: Byass Works, held by A W D Group Ltd

At: Byass Works, The Docks, Port Talbot, Neath Port Talbot, SA13 1RS.

Type of assessment carried out: Audit, Reason: Routine.

On 14/07/2021 between 14:00 and 15:45.

Parts of permit assessed: Actions arising from previous CAR

NRW Lead Officer: David Ellar, accompanied by Linda Warrick.

Report sent to: Alun Wyn Davies, Director on 02/08/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
D1 - Incident Management - Site security	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?

No action required.

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

Present: Alun Wyn Davies - Director AWD Group

Eifion Davies - Director AWD Group

Linda Warrick - Natural Resources Wales

David Ellar - Natural Resources Wales

During the visit NRW officers were accompanied around the site by Company Director Alun Wyn Davies. The purpose of the visit was to assess compliance against the actions noted in the previous visit and detailed on Compliance Assessment Report CAR_NRW0038395

Actions to assess where:

1. store, treat waste within permitted area or remove from site
2. Review and Improve procedures at site including waste acceptance and quarantine
3. Oil and fuel must be stored in accordance with section 5.4 the permit
4. submit waste returns from Q1 2019 to Q1 2021
5. All waste unless 'specified waste' must be stored and treated on an impermeable surface with sealed drainage system.

1 - Store, treat waste within permitted area or remove from site.

This related to a large volume of baled plastics and some 'Eurocarts' containing clinical waste, stored outside of the permitted area. The amount of plastics had been significantly reduced and a S2 waste exemption had now been registered at the site (ref: NRW-WME064792). AWD also confirmed that they are in the process of a permit variation which will bring the bailed plastic storage area within the permit boundary. It is expected that the application would be made in the next month.

The Eurocarts had been removed and placed and securely stored in the adjoining Reliance Service Solutions compound as AWD claimed it was not their waste. Action completed.

Photo showing baled plastic storage area:



2 - Review and Improve procedures at site including waste acceptance and quarantine

The waste acceptance procedures have been reviewed and improved including new CCTV. The EMS now needs to be updated to reflect this. – Action complete

3 - Oil and fuel must be stored in accordance with section 5.4 the permit.

This was in relation to oil and fuel being stored not being stored in double skinned containers in a bunded area. Oil and fuel is now being stored in a designated area on bunds or in bunded tank. – Action complete.

Photograph showing improved oil and fuel storage:



4 – Submit waste returns from Q1 2020 to Q1 2021

Waste returns for Q1 2021 have now been submitted electronically. Q1 – Q4 of 2020 still need to be submitted. It is claimed that these were submitted by post, but they have yet to be found. NRW is looking into the issue. As AWD have copies of the returns it is best that they are submitted electronically. – Action still needs to be completed

5 - All waste unless 'specified waste' must be stored and treated on an impermeable surface with sealed drainage system.

This was in relation to mixed waste was seen being stored and treated outside of the building and not on an impermeable pad with sealed drainage. This area has been vastly improved, waste has been reduced and now the edges of the pad are clearly visible. – Action complete.

Photograph showing improvements to operations on the waste sorting pad:



Thank you for your time during the visit.

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. 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 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency in Wales.

END

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.