

Compliance Assessment Report CAR_NRW0038367

Permit being assessed: BB3793ND.

For: Nevills Dock, held by AMG Resources Ltd.

At: A M G Resources Ltd, Nevills Dock, Llanelli, Carmarthenshire, SA15 2HD.

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

On 26/05/2021 between 10:30 and 12:00.

Parts of permit assessed: General Site inspection

NRW Lead Officer: Sally Wakeford, accompanied by Jonathan Willington.

Report sent to: Adrian Stewart, TCM on 09/06/2021.

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)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor	3.1.2(b)
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	2.3.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2
C1 - General Management - Staff competency/training	Assessed (A)	
C3 - General Management - Materials acceptance	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
3	8.1

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
G1	Provide all the pest monitoring information held by AMG by 07/07/2021	07/07/2021
B3	undertake maintenance on the impermeable surface on the site by 09/09/21 or unless otherwise agreed in writing with NRW.	09/09/2021
G4	Submit outstanding waste return by 07/07/2021	07/07/2021

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

On 26 May 2021 a site inspection was undertaken at AMG Resources Ltd Permit number EPR/BB3793ND by Sally Wakeford and Jonathan Willington, accompanied on site by Adrian Stewart and Andy Evans of AMG Resources.

AMG are currently accepting more waste streams than at previous inspections. Mattress springs and oversized metal wastes are now being accepted at the site.

Waste cans are stored in two large unbaled piles, with turnaround of waste cans on site of around 4 days.

Waste on site was contained to the pad, with waste streams well segregated.

AMG are currently considering concreting around the permitted area, to enable the loading of lorries and traffic management within the permitted area.

Fly papers were in place on boards around the site. There was no evidence of fly activity noted during the inspection.

Environment Management System

NRW do not hold a copy of your Environment Management System. A draft copy of the revision of the EMS was provided on site.

ACTION: Provide a copy of your Environment Management System by 07/07/21

It is a requirement of your permit to undertake the activities in accordance with your EMS under Condition 1.1.1.

Pest Management Plan (PMP)

G1 – Monitoring of emissions & the environment – Permit condition 3.1.2(b) – CAT 3

You have been given a category 3 breach of the above permit condition as during the inspection it was discussed that NRW has not received any fly monitoring data since August 2020. In the 2 weeks following the inspection this information has been promised but not received.

3.1.2 states:

“The operator shall implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.”

- No evidence has been provided of weekly fly monitoring since August 2020.

PMP states: “The cards will be inspected and replaced weekly during the warmer months (typically May to end September). During each inspection the flies will be identified and counted with the records documented.

Fly counting will continue throughout the year, even when there are no concerns, so that there is a documented record of baseline conditions”

NRW has not received the “Weekly update to NRW on Pest Management During Summer Months (May to September)” form since 24 August 2020.

- No evidence has been provided of routine Specialist Site Inspection.

PMP states: “The contracted pest control company will attend site **weekly** throughout the period between the end of April and the beginning of October.”

Although informed the Pest Control company has visited the site, evidence, although requested has not been provided by AMG to confirm the visits.

ACTION: Provide all the pest monitoring information held by AMG by 07/07/2021

Infrastructure

B3 – Site Drainage engineering (clean and foul) – Permit condition 2.3.1 Table 2.3 – CAT 3

You have been scored a breach of the above permit condition because the impermeable pad is very patchy in places and is in need of maintenance.

2.3.1 The activities shall be operated using the techniques and in the manner described in Table 2.3 below

Table 2.3 Operating Techniques:

1. Uncontaminated ferrous metal wastes or alloys and uncontaminated non-ferrous metal wastes shall be stored on hard standing or an impermeable surface. All other wastes shall be stored on an impermeable surface with sealed drainage system.

2. All wastes shall be treated on an impermeable surface with sealed drainage system.

Officers were informed on site that civils work for the installation of the new baler on site were due to start shortly, and the maintenance of the pad will be undertaken at the same time.

ACTION: undertake maintenance on the impermeable surface on the site by 09/09/21 or unless otherwise agreed in writing with NRW.



Waste returns

G4 – Reporting and Notifications to NRW – Permit condition 4.2.2 – CAT 4

You have been given a Category 4 breach of the above permit condition because the waste returns for 2020 have not been submitted.

4.2.2 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.

Permit was issued on 28/07/2020. Waste returns should have been submitted for the

period to the end of 2020 within one month of the end of the year.

ACTION: Submit outstanding waste return by 07/07/2021

Technically Competent Manager:

It is noted that Adrian Stewart is acting as Technically Competent Manager at the site. The MROC1 qualification from WAMITAB was achieved on 06 January 2021.

ACTION: Provide certificate of competency

Site layout:

Your Pest Management Plan provides a layout of the site and baled wastes only. It is understood from the previous officer, Ieuan Davies, that discussions had been undertaken regarding the amount of waste stored unbaled.

It had been discussed that only one days' worth of bales would be split at any one time as any more would increase the risk of fly activity increasing.

Andy provided information that in the 2 piles of unbaled wastes seen on site were approximately 1,500 tonnes and 1,000 tonnes. It was estimated that the turn around for the waste currently on site was 4 days.

Please ensure that, especially during periods of hot weather, that the number of bales split ready for re-baling does not exceed capacity that can easily be managed on site.

Other photographs of site inspection:





Thank you for taking the time to accompany officers around the site.

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

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource 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 for Wales.

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.