

Compliance Assessment Report CAR_NRW0039993

Permit being assessed: JP3698FK.

For: LAS Waste Ltd., held by L.A.S. Recycling Limited

At: Tregaron Road, Lampeter, Ceredigion, SA48 8LT.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 06/06/2022.

Parts of permit assessed: FPMP and Flood Action Plan

NRW Lead Officer: Malcolm Dines.

Report sent to: Danielle Parry, EMS Manager on 06/06/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D2 - Incident Management - Accidents, emergency and incident planning	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.

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

This compliance report has been generated following a review of the updated Fire Prevention and Mitigation Plan (FPMP) and Flood Risk Plan for the site that have been submitted as a required action on the Compliance Report (CAR_NRW0039173) dated 17th February 2022. There were no breaches identified in this review.

Flood Risk Plan

You were required to address flood risk issues at the site due to a gap in the wall of the lower yard that potentially allowed flood waters to enter the site. An email sent to myself by Danielle Parry on 6th June 2022 showed the completed repair with confirmation that this was finished on 22nd May 2022. The updated Flood Risk Plan is a concise document that clearly sets out the flood risks to the site from the Afon Dulas and the planned response. The only item to highlight is that the plan requires staff to monitor weather and river conditions during "periods of heavy rain". This leaves the responsibility to decide how much heavy rain triggers the requirement to check the Flood Warning systems and leaves the site open to human decision making and also to human error.

Action

It is recommended that L A S Recycling Ltd. signs-up to the Natural Resources Wales (NRW) Flood Warning system. [Natural Resources Wales / Sign up to receive flood warnings](#)
This system will then automatically notify the site in the event of flows in the river reaching critical levels. If you do sign-up to the flood warning system, please ensure that you update the Flood Risk Plan accordingly.

Fire Prevention and Mitigation Plan

You were required to review the FPMP due to concerns that the concrete walls of some of the waste storage bays did not meet the requirement of the FPMP Guidance and also concerns regarding a lack of freeboard in the bays.

The submitted plans states that the concrete walls of the waste storage bays adjacent to the Afon Dulas are concrete to 3m and are classified as "A1 fire resistant". This addresses the concern that waste bay walls at the site are not designed to be fire walls.

The FPMP also states that there will be, "ongoing monitoring of waste piles by site operatives throughout the day, and the Site Managers' daily inspections". This will ensure that the appropriate freeboard will be maintained as per the waste storage table. This addresses the concerns regarding the need for a 1 metre clear freeboard in the waste storage bays.

There was the need to consider the risk of the trees along the northern perimeter of the Household Waste Yard catching fire in the event of a fire starting in one of the bins located below the trees. your FPMP states that due to the health and safety risk and the potential risk of fire spreading, the operator would not attempt to move a skip full of waste which has fully ignited. However, all skips within the CA site can be easily moved if required under emergency conditions if safe to do so and the fire is small enough or the containers will be pulled forward as far as possible to both allow rear access and to lower the risk of fire spreading to the trees of the neighbouring property. The trees are also quick growing and so will be cut back when required to increase the gap separating them from the skips. This addresses the concerns about the proximity of the skips in the HWRC part of the site to the trees on the site boundary.

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.