

Compliance Assessment Report CAR_NRW0040113

Permit being assessed: AB3190CN.

For: Windsor Waste management Ltd., held by Windsor Waste Management Ltd

At: Chapel Farm Ind Est, Cwmcarn, NP11 7BH.

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

On 07/07/2022 between 10:00 and 11:00.

Parts of permit assessed: Various

NRW Lead Officer: Greg Gardner, accompanied by Jak Rose.

Report sent to: Shaun Case, Site Manager on 13/07/2022.

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)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	C3 Minor	1.1.1
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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
1	4

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
D1	Replace damaged Heras fencing on site to prevent potential unauthorised access to asbestos storage area. Ensure Heras fencing is securely fastened in all applicable areas and that Heras fence integrity checks are part of daily / routine checks.	19/08/2022

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

This report details the site visit made on the 7 July 2022 to Windsor Waste Management Limited located at Chapel Farm Industrial Estate, Cwmcam, NP11 7BH, permit number, EPR-AB3190CN. NRW Officers Greg GARDNER and Jak ROSE attended the Windsor Waste Management Limited site for a routine site inspection at 10:00am where we met with Mr. Shaun CASE (Site Manager). The weather was dry, bright, and reasonably warm which it had also been the previous day.

To remind the operator, following each assessment Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the audit. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions. This can affect your site banding and annual subsistence fees; scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the people/property/environment
- 2 - Significant impact or effect on the environment/people/property
- 3 - Minor impact or effect on the environment/people/property
- 4 - A non-compliance which has no potential environmental effect

PERMIT HISTORY

See below extract from permit regarding variation history.

Status log of the permit

Description	Date	Comments
Permit determined EPR/AB3190CN/A001	09/05/16	Tier 2 standard rule permit consisting of rule sets SR2008No9 issued to 3Sixty Waste Management Limited.
Application EPR/AB3190CN/T002	Duly made 02/10/17	Application to transfer the permit in full to Windsor Waste Management Limited
Transfer determined EPR/AB3190CN	04/10/17	Full transfer of permit to Windsor Waste Management Limited complete.

End of introductory note

PERMIT BREACHES

Below are permit breaches that were identified during the site inspection.

CATEGORY 3 BREACH – PERMIT CONDITION

1.1.1

(D1) – SITE SECURITY

"The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints"

- Permitted site security fencing was damaged in parts as well as not securely fastened with potential for unauthorised access / vandalism resulting in an environmental and / or health and safety issue
- Breach of sites Waste Management Plan which identifies control measures for security to prevent unauthorised access

Please see report content for further justification

GENERAL OBSERVATIONS

Windsor Waste Management Limited operate under a Standard rules SR2008No9 permit - asbestos waste transfer station. Their operations include specialising in asbestos disposal and hazardous waste management. Full WAC (Waste Acceptance Criteria) testing / analysis is in line with all legislative requirements where they serve HSE licenced asbestos removal firms and demolition companies and work alongside organisations within the construction and industrial roofing sectors.

The only permitted hazardous waste is insulation materials or construction materials containing asbestos. These wastes must be double-bagged except where waste will not fit into a bag when it must be, securely wrapped. Bagged or wrapped waste must be stored within secure, lockable containers (as seen in photo 1). These rules will not permit the treatment or repackaging of asbestos or the separation of recyclable materials. The total quantity of waste that can be accepted at a site under these rules must be less than 3,650 tonnes a year. These rules will also not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator.



Photo 1 - Windsor Waste Management Ltd Asbestos Storage Area

DRAINAGE AND INFRASTRUCTURE AND HOUSEKEEPING

Site drainage was assessed during the site inspection with no issues identified. Any run off enters the nearby surface water drain which then passes into the industrial estates site interceptor. Housekeeping was in good working in order with no debris present and all waste(s) were stored securely within the sealed containers (as seen in photo 1).

SITE SECURITY

During the site inspection, NRW Officers noticed that some of the Heras fencing located around the securely sealed containers needed replacing due to damage / natural wear and tear and also some of the Heras fencing were not securely fastened to each other (see photos 2, 3 and 4). Whilst there has been no reports of trespassing / vandalism of this site there is potential for person(s) to enter inside the Heras fencing through the damaged / unsecured areas which could potentially result in an environmental and / or health and safety issue. Mr. CASE acknowledged this and duly fastened up the Heras fencing where required. It was also noted by Mr. CASE that Chapel Farm Industrial Estate is security fenced and guarded by security personnel also. Whilst Officer GARDNER appreciated this control measure the potential was still present for person(s) to gain access to the Windsor Waste Ltd permitted area and that the damaged fencing needed to be replaced as soon as reasonably practicable to which Mr. CASE agreed.



Photo 2 - Section of fencing not secured and damaged (bottom right)



Photo 3 - Close up of Photo 2 regarding section of fencing not secured and damaged



Photo 4 - Another section of Heras fencing that was damaged

The below is an extract from the sites waste management plan under section 2.1.3 - Site Security:

"In order to prevent unauthorised access to the site, site security measures would be in place.

- *The site has a secure lockable access gate with 2.5 meter fencing around the perimeter of the boundary line.*
- *The access gate will be closed and locked secure at all times when the site is not operational (outside of working hours) and security lighting used as appropriate.*
- *Gates and fencing would be inspected at the commencement of each working day.*
- *Any defects or damage which compromises the integrity of the premises would be made secure by temporary repair by the end of the working day. Permanent repairs would be affected as soon as practicable. All inspections, defects, damage and repairs would be recorded in the daily site diary"*

ACTION: Replace damaged Heras fencing on site to prevent potential unauthorised access to asbestos storage area. Ensure Heras fencing is securely fastened in all applicable areas and that Heras fence integrity checks are part of daily / routine checks.

DEADLINE: 19/08/22

WASTE RETURN SUBMISSIONS

Windsor Waste Management Limited are currently up to date with all of their waste return data to NRW. For 2022, the submitted quarters total of 432.07 tonnes of waste was accepted and 419.11 tonnes of waste was removed. These amounts are within their permitted allowance and no unauthorised waste streams were accepted.

During the site inspection, Officer ROSE undertook a hazardous waste consignment note inspection. Details of this will be generated and issued to the operator in a separate report by Officer ROSE.

NRW Officers Greg GARDNER and Jak ROSE left site at 11.00am the same day.

If you have any issues with this report please contact Greg Gardner on greg.gardner@naturalresourceswales.gov.uk

I look forward to working with the site in 2022.

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

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.