

Compliance Assessment Report CAR_NRW0040561

Permit being assessed: XB3893HN.

For: Taybrite Works, held by Browns Waste Management & Recycling

At: Hoel Y Bwlch, Bynea, Llanelli, SA14 9ST.

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

On 17/10/2022 between 10:15 and 11:15.

Parts of permit assessed: A

NRW Lead Officer: David Morgan.

Report sent to: Matthew Roderick, Director on 18/10/2022.

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)	

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

An inspection was undertaken on Monday 17th October 2022. The purpose of the inspection was to assess operations following a major fire which occurred on Friday 14th October 2022. Natural Resources Wales attended the fire incident.

Present on site during the inspection of Monday 17th October 2022 were: David Morgan (Natural Resources Wales) and Matthew Roderick (Browns Waste Management).

Fire Investigation

The cause of the fire on site is unknown but is thought to be lithium-ion battery/electrical item that had been placed in a skip. Natural Resources Wales has not received the results of the fire investigation at the time of writing this report, but we may wish to discuss the results of the investigation if/when we receive them.

Incident Recovery

Following a fire on site on Friday 14th October, the incident had ended with the Fire Service no longer on site. The incident was declared over on Saturday 15th October and at the time of the inspection, the site was operating.

It was noted that waste was being received on site but only on a 'one-in-one-out' system. The site appears to be at full capacity and the main waste reception building, which was involved in the fire, had almost been emptied of waste.

Fire damaged waste is due to be disposed of at landfill (likely Trecatti - Biffa). It is noted that this waste will only be accepted at landfill after a certain period of time when assurance can be given that the fire-damaged waste will not reignite.

It is understood that during the recovery stage of the incident that waste will be stored in a manner that is not the standard operating practice.

Please be aware that you may be recharged for time Natural Resources Wales officers spent on site during the incident where an investigation for the potential of pollution was undertaken.

Observations

During the inspection, the following observations were made:

- * The main waste storage building, where the fire took place, suffered only minor damage from the fire. It is expected that following the removal of fire-damaged waste, and minor repairs to the building, the building will be once again fully operational.
- * There was pooling of site surface water on site which suggests an issue with drainage infrastructure. During the incident, drainage plans were not available on site. It was noted that you intend to commission an investigation into the drainage system on site.

Your Environmental Permit requires you to store and treat waste on an impermeable surface with a sealed drainage system.

- * We discussed on-site logistics and plans for dealing with another incident - if one should occur during this recovery stage following the previous incident.
- * At the time of the inspection on the 17th of October 2022, there was a large volume of birds/seagulls on site. We discussed the requirement for measures to be implemented to mitigate the impact of pests/scavengers on site. We may wish to discuss this in a future

visit.

Summary & Requests for information

Following a recent fire on site, operations have now recommenced, and the site is accepting waste. It is noted that the current storage practices are not indicative of standard operating practices.

Drainage provisions for the site appear to be unclear. Your permit requires you to operate on an impermeable surface with sealed drainage system. Please keep us informed of the results of the planned drainage investigation.

Please notify us when fire-damaged waste is removed from site. We may wish to view written records of the waste movements so ensure Waste Transfer Notes are available for inspection.

As mentioned on site, it is likely that Natural Resources Wales will conduct another inspection of the site in coming weeks following which the Environment Management System and emergency plans will be reviewed.

Thank you for your time during the inspection.

END OF REPORT

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 1 st 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.