

Compliance Assessment Report CAR_NRW0040806

Permit being assessed: WP3797ED.

For: Rhondda Skip Hire, held by Cwm Rhondda Waste Management Services Ltd

At: Williamstown, R C T, CF40 1NE.

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

On 14/07/2022 between 11:00 and 11:40.

Parts of permit assessed: all parts

NRW Lead Officer: Magda Leonowicz, accompanied by Elysia Lovelock.

Report sent to: Ms Suzanne Trembath, Technically Competent Manager on 16/12/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C3 - General Management - Materials acceptance	C3 Minor	Permit Condition 1.2.1 No waste other than those, which are categorised in Table 1.2A and specified in detail in Appendix A to these conditions, shall be accepted at the site.
B1 - Infrastructure - Engineering for prevention and control of emissions	C3 Minor	Permit condition 2.1.2 The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and to meet the standards specified in Table 2.1 below, point b: Table 2.1 Site containment and drainage standards b) Impermeable pavement, bunding and sills - Areas of impermeable pavement, bunding and sills shall be constructed

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		and maintained so as to prevent fluids running off the pavement and the transmission of fluids through the pavement or joints.
D1 - Incident Management - Site security	C3 Minor	Permit condition 3.2 states: Site security - Site security systems shall be provided at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans, and livestock, which is not authorised either by the licence holder or under legal powers of entry. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with the requirements specified in Table 3.2 Table 3.2 Site security system standards – Maintenance standards – the site security shall be fully inspected at the commencement of each working day. Any defects or damage shall be made secure by temporary repair by the end of the working day and shall be repaired within 7 working days of the damage being detected. All inspections, defects, damage and repairs shall be recorded in the site diary.
C1 - General Management - Staff competency/training	Action only (X)	

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	Permit Condition 1.1.1.

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
4	16

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
C3	Demonstrate that you have removed unpermitted waste to an authorised facility and provide information pertaining to the movement of the unpermitted waste, including but not limited to EWC, description of waste, the name of accepting facility and the date of transfer. Please provide time and date stamped photographs demonstrating removal of unpermitted waste.	10/01/2023
B1	Undertake necessary maintenance to site infrastructure.	Already completed
D1	Repair fencing to ensure that the site is secure.	Already completed
C1	Provide an up to date evidence of your technical competency to magda.leonowicz@cyfoethnaturiolcymru.gov.uk	10/01/2023
C2	Review your Working Plan and provide up to date version that reflects operations on site including the site plan. Please provide a date for when you will be able to provide an updated Working Plan.	10/01/2023

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

Industry & Waste Regulation Officers Magda Leonowicz and Elysia Lovelock conducted a site visit on 14/07/2022. On arrival, the officers were met on site by the sites technically competent manager Ms Suzanne Trembath. Other staff were present at the time of the visit, who were operating machinery and sorting waste. The purpose of the visit was to assess compliance with the environmental permit. The visit was also conducted in response to reports received by Natural Resources Wales regarding waste escaping the

site boundary, pest and dust emissions. These reports were not substantiated by officers during the visit. The weather remained clear and dry during the visit.

On arrival Ms Trembath explained that the time of the inspection was not convenient, and she would want/expect Natural Resources Wales to notify the operator about upcoming inspections. Natural Resources Wales performs unannounced inspections. Officers explained their powers of entry under Section 108 of Environment Act 1995 and their requirement to inspect sites under *Regulation 34 of The Environmental Permitting (England and Wales) Regulations (2016)*.

Non-compliances:

C3 General management – Materials acceptance - Category 3 breach - Permit Condition 1.2.1

The operator has been scored a Category 3 breach (Potential to have a minor or minimal impact or effect on the environment, people and/or property) of permit condition 1.2.1 which states: ***No waste other than those, which are categorised in Table 1.2A and specified in detail in Appendix A to these conditions, shall be accepted at the site.***

This breach has been scored because mattress and tyres were stored at the site during the site inspection. The waste codes representing these wastes are not included in the Table 1.2.A of your permit.

Action Required:

Please demonstrate that you have removed unpermitted waste to an authorised facility and provide information pertaining to the movement of the unpermitted waste, including but not limited to EWC, description of waste, the name of accepting facility and the date of transfer.

Please provide time and date stamped photographs demonstrating removal of unpermitted waste.

Action Due: 10/01/2023

Advice & Guidance

If you wish to accept and store waste types that are not included in the table 1.2A of your permit, you must vary the permit to include this waste. To apply for a permit variation, submit relevant application forms to our permit receipt team - permitreceiptcentre@cyfoethnaturiolcymru.gov.uk

Application forms - [Natural Resources Wales / Apply to vary \(change\) a permit for waste operations](#)

B1 - Infrastructure – Engineering for prevention and control of emissions – Category 3 breach – Permit Condition 2.1.2

The impermeable surface appeared to require maintenance as cracks were visible and as

such, this indicated that there was a potential to cause an environmental impact.

Ms Trembath explained that an impermeable layer was installed under the concrete area, preventing any transmission of fluids into the soil/groundwater underneath. The evidence of the installation of the impermeable layer was requested.

Permit condition 2.1.2 states, ***‘The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and to meet the standards specified in Table 2.1 below, point b:***

Table 2.1 Site containment and drainage standards

‘b) Impermeable pavement, bunding and sills - Areas of impermeable pavement, bunding and sills shall be constructed and maintained so as to prevent fluids running off the pavement and the transmission of fluids through the pavement or joints. ‘

Action required: undertake necessary maintenance to site infrastructure.

Completed: 18th October 2022

On the 18th of October 2022, I subsequently received photographs from the operator demonstrating that the concrete surface had been repaired. We thank the operator for supplying this and getting the situation rectified. However, as evidence of the installation of an impermeable layer under the concrete slabs, was not provided to date, we believe there is the potential that the impermeable area did not serve its purpose at the time of the visit. The operator has been scored a Category 3 breach of condition 2.1.2 based on the potential environmental impact for the non-compliance identified at the time of the inspection.

Advice & Guidance: Please ensure the surfaces are regularly inspected and maintained and any fractures and joints are repaired accordingly, to ensure the infrastructure that is in place provides suitable protection against any potential environmental impact.

D1 Incident management – Site security – Category 3 Breach – Permit Condition 3.2

At the time of inspection, the perimeter fencing along the back of the yard was partially collapsed with a pile of mixed recyclables leaning against it. This could result in the waste escaping the site boundary as well as leaving the site vulnerable to unauthorised persons gaining access. Officers informed Ms Trembath of this issue whilst on site.

Permit condition 3.2 states: ***‘Site security - Site security systems shall be provided at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans, and livestock, which is not authorised either by the licence holder or under legal powers of entry. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with the***

requirements specified in Table 3.2'**'Table 3.2 Site security system standards –**

Maintenance standards – the site security shall be fully inspected at the commencement of each working day. Any defects or damage shall be made secure by temporary repair by the end of the working day and shall be repaired within 7 working days of the damage being detected. All inspections, defects, damage and repairs shall be recorded in the site diary.'

Action required: repair fencing to ensure that the site is secure.

Completed: 3rd August 2022

On the 3rd of August 2022, I subsequently received photographs demonstrating that the fence had been repaired. As the non-compliance of the above condition was observed during the site inspection, the operator has been scored **a Category 3 breach of permit condition 3.2, under D1 - Incident Management.**

Advice & Guidance: Going forward please ensure maintenance checks are performed regularly to ensure that site security is maintained at all times, in accordance with permit condition 3.2.

C2 General management – Management system and operating procedures – Category 3 Breach – Permit Condition 1.1.1.

This is a root cause breach as poor management procedures have been identified as a root cause for some of non-compliances seen during the site inspection. The written management procedure - Working Plan, is inadequate to ensure full compliance with the permit conditions. The Working Plan in place does not reflect current operations on site as required by permit condition 1.1.1. Table 1.1 Specified waste management operations.

Advice & Guidance:

In the event of non-permitted wastes being accepted on site, please ensure that these are kept separate to permitted waste in a quarantine area as required in the point 23 of your Working Plan.

Action required:

Please review your Working Plan and provide up to date version that reflects operations on site including the site plan. Please provide a date for when you will be able to provide an updated Working Plan.

Assessed and no evidence of non-compliance has been recorded

G3 Monitoring and records, maintenance and reporting – Maintenance records – permit condition 2.1.2

Thank you for providing evidence demonstrating maintenance of the interceptor and related transfer notes, as requested following the visit.

2.1.2 The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and to meet the standards specified in Table 2.1 below:

i) Inspections and emptying of the interceptor shall be recorded in the site diary

Compliance in relation to permit condition 2.1.2 has been assessed and no action is required by the operator.

C1 General management – Staff competency/training – Technically Competent Manager.

In reviewing our records, we do not have evidence of your technical competency.

Action required: please provide an up to date certificate to magda.leonowicz@cyfoethnaturiolcymru.gov.uk within 10 working days.

Action due: 10/01/2023.

Waste returns:

Advice & Guidance: Please ensure waste returns are accurately reported. I will be reviewing the site's submitted waste returns in due course.

We wish to thank you for your time during the inspection and for your continued co-operation post inspection in addressing the issues identified.

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.