

Compliance Assessment Report CAR_NRW0040881

Permit being assessed: CB3398ZF.

For: Forward Waste Management East Moors Road Hazardous Waste Transfer Station,
held by Forward Waste Management Ltd
At: 122-128 East Moors Road, Cardiff, CF24 5EE.

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

On 14/12/2022 between 10:00 and 11:30.

Parts of permit assessed: Site Inspection

NRW Lead Officer: Dale Padfield.

Report sent to: Brett James, SHEQ Manager on 03/01/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D2 - Incident Management - Accidents, emergency and incident planning	Action only (X)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
E3 - Emissions - Surface water	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?

Criteria	Action needed	Complete by
D2	Ensure the relevant information is stored in the sites	31/01/2023

Criteria	Action needed	Complete by
	emergency services box.	

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

Forward waste Management Ltd

Permit Number: EPR/CB3398ZF

The purpose of this compliance assessment report is to detail the site inspection conducted on the 14th of December 2022 and a review of the quarter 3 waste returns.

Site inspection

Regulatory officer Dale Padfield was met by Brett James (EHS manager), Lewis Bligh (technical waste coordinator) also in attendance was a waste consultant on behalf of Forward Waste Management (FWM). This was the first site inspection conducted since the site became operational in July 2022. The site is not operating at full capacity and is still slowly increasing the scale of operations. FWM stated that this approach has allowed the site more control over the pace of operations, allowing procedures and methods to be tested and allowed staff to become familiar with the operations.

The inspection agenda was broad and was chosen to gain an understanding of how the site was operating in relation to the documentation submitted as part of the permit application. Various items and topics were chosen from the operating techniques, preventative maintenance plan and fire prevention and mitigation plan (FPMP).

All waste bays were seen to be in good condition, with a freeboard height of at least 1m maintained in all bays. Signage was present and correct on all bays, and secondary containment in the form of palletised bunds were in use where required. Bay 5 – the quarantine bay was empty FWM stated it had been used recently where a waste was assessed to be misdescribed. The measures and actions taken were described, these were in-line with the procedures in place.

Spill kits were observed throughout the installation, a spill kit adjacent to bays 9 and 10 was opened and contained all the required components. Furthermore, FWM staff had recently undergone training in the use of the spill kits, provided by the spill kit supplier. The site was free of litter and the impermeable surface looked to be in good condition throughout the site, with the previously identified deficiencies having been repaired. Some areas of hard standing (not impermeable) boarder the main building but a kerb is present to ensure tertiary containment status of the site is not compromised, this hardstanding area was seen to be

used as storage area for clean – unused drums that are supplied to customers. FWM stated they were fully aware of the requirements for any containers containing liquids to be stored with secondary containment, evidence of this was seen throughout the site. Penstock valve 3B was seen and in the correct position.

The current technically competent person is Craig Housley the transport manager, however FWM are in process of supporting an additional five members of their staff through the WAMITAB scheme. The environmental management system (EMS) recently acquired 14001 accreditation, with only some minor details raised by the external auditor, one query was raised for NRW and this is detailed below. The senior chemist recently departed FWM, as such, two new chemists have been employed as well as a waste consultant on a two day a week basis to support the business as new staff are trained. The weekly / daily check sheet utilised by Forward Waste as part of their preventative maintenance scheme were inspected for the previous week, all checks were completed and reflected what had been seen during the site inspection. It was noted that the oily rag type waste is subject to twice daily temperature monitoring, evidence of which was observed in the daily check sheets. NRW are pleased that this is being conducted, FWM should consider updating their FPMP as these checks are not mentioned within the FPMP document.

Several items were identified that may require further investigation and implementation by FWM. These included, a DSEAR assessment – although not strictly within NRW's remit, this usually falls with the Health and Safety Executive (HSE), a DSEAR assessment is required and will help reduce the risk of a fire occurring on the site, therefore reducing risk to people and the environment. It was noted that South Wales Fire & Rescue have not been to the site – although they are possibly aware of the site as they were contacted during the permit application stage. It may be beneficial to invite them to assess the site. Also, FWM stated that the emergency services 'fire box' is currently empty, although all the required documentation is available within the office. It is good practise to have this information stored in the emergency services box. In the event of a fire occurring during one of ours it will provide easily accessible access to key information potentially allowing quicker action being taken during an emergency, it also forms part of the FPMP and should therefore be utilised.

An observation was made by the auditor during the 14001-accreditation audit. The auditor queried how the surface water was defined and identified as un-contaminated as specified in schedule 3 – emissions and monitoring within the permit. As there are no monitoring techniques or limits set in the permit. The uncontaminated surface water refers to water that falls as precipitation only, and does not include any liquid or substance that arises from any site operations. To identify if surface water has become contaminated, FWM conduct pH testing before releasing any water from the interceptor tank. FWM also conduct daily checks for spills and leaks, as well as continuous visual monitoring during operations, with procedures in place to prevent the escape of any pollutants from the site. If a spill or leak has been identified the contents of the interceptor tank is analysed, pumped out and sent onwards to a registered facility for disposal, this is also the case if contamination is identified by the pH testing. NRW believe the procedures FWM have in place to identify if the surface water is contaminated, and the controls in place to prevent emission of contaminated surface-water are adequate.

The overall impression given was that the site was well maintained, well operated and procedures submitted as part of the permit application were being implemented by operator. FWM should be commended on achieving 14001 accreditation on the EMS and for the investment and training being rolled out for staff.

Waste returns

The waste returns for Quarter 3 were originally received within the deadline, however the returns contained several errors and had to be re-submitted several times. As this was the first waste return submission the site has had to make there was some confusion on the correct sheet, correct reporting units and correct teams within NRW the returns needed to be submitted too. These issues have now been resolved. Although the correct form was eventually submitted beyond the reporting deadline, no score will be issued on this occasion as it was clear the operator took swift action to rectify the issues and there was no environmental impact. The final submission for Quarter 3 was reviewed, all EWC codes received by FWM were permitted, the site received 43.5 tonnes and removed 20.5 tonnes of waste during this reporting period. Quarter 3 returns are accepted.

Please keep NRW updated with any progression of the DSEAR assessment, FRS attendance and utilisation of the emergency firebox. The FPMP may require updating to capture the outcome of any assessment, if and when it is updated, please provide a copy to NRW. Please also provide updates when available to the questions raised in the email sent on the 3rd of January 2023 regarding the following.

- Notification and marking of sites regulations (NAMOS) – Assess if FWM meet the threshold to report to HSE and FRS under these regulations.
- Hazardous substances consent – Are the substances stored on site at or above the defined limits that require this consent? If so, has this consent been granted?
- Control of major accident hazards (COMAH) regulations – Assess if the site has potential to store any of the substances defined in the COMAH regulations at or above the threshold quantities stated within these regulations?

END.

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.