

Compliance Assessment Report CAR_NRW0041316

Permit being assessed: FB3390HM.

For: Griffiths Waste Solutions, held by Griffiths Waste Solutions (gws) Ltd

At: Haverfordwest, Pembs, SA62 4BW.

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

On 09/02/2023 between 11:30 and 12:30.

Parts of permit assessed: A

NRW Lead Officer: David Morgan, accompanied by Cathy Lloyd.

Report sent to: Mark Griffiths, Operator on 23/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C2 Significant	1.1.1 (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	31

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
A1	Operate facility in line with a written Environment Management System that identifies the risk posed by operations.	05/05/2023

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

A site inspection was undertaken on Thursday 9th February 2023. Present at the time of the inspection were David Morgan (Natural Resources Wales) and Cathy Lloyd (Natural Resources Wales). Access to the site was granted by the landlord.

At the time of the inspection, the site did not appear to be operational, although the Environmental Permit remains active.

On Thursday 9th February, the following observations were made:

Site Security

Site security was an issue that has previously caused concern. In the past, notably an inspection on 25th February 2021, concerns were raised over the lack of site security. The site has previously been easily accessible which causes concern regarding unauthorised access and the potential for arson and/or unpermitted deposits of waste.

On Thursday 9th February 2023, Natural Resources Wales officers noted that site security has improved. There is now new steel fencing to the rear of the site where gates are locked and there is new boundary fencing on the side of the site by neighbouring properties. The site, generally, appears to be more secure than previously.

Waste Storage

Mixed waste has been removed from the outside areas of the site, however, there does remain a significant amount of inert material on site, which has now grassed over.

Officers noted a skip of waste containing scrap metal was on site in the yard.

The waste storage and treatment building remains full of mixed waste. There is no break between the material and there is no room to store/treat further waste.

The Environmental Permit states that all waste must be treated inside the building.

Regulation 37 Notice

As you are aware, Natural Resources Wales has issued a notice which has suspended incoming waste on site. This notice was issued, and remains in place, owing to the risk posed by the building being full of waste which poses a fire risk, and prevents further waste being treated on site. There is also a risk of pests and vermin as waste has been in-situ for over a year.

The notice required steps to be taken before the suspension (of incoming waste) can be lifted.

Natural Resources Wales can confirm that the following steps of the notice have been completed (all be it not within the deadline specified in the notice):

- * Boundary fences have been repaired to prevent unauthorised access
- * Mixed waste stored outside the building has been removed

The remaining steps must be taken prior to the suspension of incoming waste being lifted:

- * Removal of all waste within the treatment building

* Provide of all Duty of Care Waste Transfer Notes as requested in the notice

Non-compliance with Environmental Permit

A non-compliance has been recorded against condition 1.1.1 (a) of the Environmental Permit (Category 2: Significant)(Ref:A1)

The facility is not being operated in line with a written Environment Management System that identifies the risk posed by operations.

The building remains full of waste which poses a fire risk and prevents any further waste from being brought on to site.

Summary

Although site security has been improved and mixed waste has been removed from outside of the building, the building remains full of waste and not only poses a significant fire risk, but also prevents further waste being brought on to site and treated.

The steps that you are required to complete in the suspension notice have not been completed and as a result, waste cannot be accepted on site.

The steps of the notice must be completed before the notice can be lifted.

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.