

Compliance Assessment Report CAR_NRW0041897

Permit being assessed: AB3596FZ.

For: Unit 31, held by Environmental Waste Services Ltd

At: Leeway Industrial Estate, Newport, NP19 4SL.

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

On 23/05/2023 between 11:30 and 12:15.

Parts of permit assessed: 1, 2, 3 and 4

NRW Lead Officer: Jak Rose, accompanied by Jodie Baskerville.

Report sent to: Mark Selway, TCM on 02/06/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	Ongoing (O)	2.3.1
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	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
B1	Operator will review site activities with guidance from NRW. During which the operator may seek a variation to the permit	29/09/2023

Criteria	Action needed	Complete by
	to modify the site boundary to store the enclosed skip bin inside main building.	

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 compliance report details the site inspection conducted by Natural Resources Wales (NRW) Officers on 23 May 2023 at: Environmental Waste Services (EWS) Unit 31 Leeway Ind Est, Newport, NP19 4SL. Permit EPR-AB3596FZ.

Waste Regulation Officer Jak ROSE and Senior Waste Regulation Officer Jodie BASKERVILLE arrived at 11.30 and met with Mr. Mark SELWAY, Operator. The last routine site inspection was completed on 14 September 2022. The weather conditions were fine and dry during the time of inspection. Officers did not detect any signs of odour at the time of inspection outside the site.

ACTIONS FROM PREVIOUS SITE INSPECTION - CAR_NRW0040399 on 14 September 2022

Action(s)	Completed (Yes/No/Ongoing)	Action Taken by Operator
Submit an action plan regarding how the operating techniques condition will be complied with.	Ongoing	The operator has been in discussion with the regulating officer with regards to the absence of a sealed drainage system. This is discussed in further detail within the report below.
Send waste returns for the site for Q3 2019 onwards	Yes	The operator has sent in these outstanding waste returns
Remove uPVC frames from permitted area.	Yes	Removed shortly after previous inspection.

B1 Infrastructure - Engineering for prevention and control of emissions – Permit Condition 2.3.1 – Ongoing non-compliance – not scored

Since the previous inspection on 14 September 2022 (CAR_NRW0040399) the operator has investigated methods of complying with the operating techniques which requires asbestos waste to be stored on impermeable surface with sealed drainage.

Sealed drainage system in relation to an impermeable surface, means a drainage system with impermeable components which does not leak, and which will ensure that:

- (a) no liquid will run off the surface otherwise than via the system;
- (b) except where they may lawfully be discharged to foul sewer, all liquids entering the system are collected in a sealed sump.

NRW Officers provided the operator with technical advice in March 2023 regarding the use of a filter within the surface water drain, NRW would consider this to mean having a filter capable of >5 microns. This is based on HSE guidance. The operator has spoken to the suppliers of the filter, and they have advised that the >5-microns requirement will prevent water passing through, this will turn flood the yard during periods of rainfall.

In the meantime, NRW will explore other options with the operator which may include varying the permit to make use of the space available within the main building to store the skip bin.

Officer ROSE took photos of the main building area which has the potential for storage. This is a suggestion at this stage and NRW will need to consider the overall impact of the variation.

Action Required: Operator will review site activities with guidance from NRW. During which the operator may seek a variation to the permit to modify the site boundary to store the enclosed skip bin inside main building.

Due date: 29 September 2023

Site observations

See below photos of the yard and the enclosed skip bin. The yard is serviced by two surface water drains at either end of the yard.

The palisade fencing is in good condition and there are no concerns relating to site security.



Photo 1 – enclosed asbestos skip within main yard to the front of the premises.



Photo 2 – south end of the front yard

Below is a photo of the inside of Unit 31. If the permit was varied to include the inside of the building the operator would have to apply for a variation. Officers will advise the operator as to the intended scope of the variation.



Photo 3 – inside unit 31. Flooring consists of hardstanding with no issues apparent infrastructure on site at time of inspection.

Waste returns

Approximately 12.8 tonnes of asbestos waste was received during 2022 at site. Thank you for submitting these correctly and on time.

Technically Competent Manager (TCM)

Mr. SELWAY's continuing competence certificate expires on 17 November 2024.

Thank you for your time and I look forward to working with the site in the future.

Officers left site at 12:15.

If you have any issues with this report, please contact Waste Regulation Officer Jak Rose at jak.rose@cyfoethnaturiolcymru.gov.uk.

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.