

Compliance Assessment Report CAR_NRW0042138

Permit being assessed: UP3794FZ.

For: Worldcare Wales Ltd, held by World Care (wales) Ltd

At: Worldcare Wales Ltd, Llandudno Junction, Conwy, LL31 9PN.

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

On 10/07/2023 between 11:30 and 13:00.

Parts of permit assessed: 'Storage, Handling & Segregation', 'Management System & operating procedures', 'Reporting to Natural Resources Wales', 'Materials Acceptance', 'Specified by permit'.

NRW Lead Officer: Sarah Walton, accompanied by Donna Muirhead.

Report sent to: Lee Jones., Owner/Technically Competent Manager on 01/08/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 - General Management - Storage, handling labelling and Segregation	C2 Significant	1.1.4 (Table 1.1) Maximum storage capacity of the site shall not exceed that which can be contained within skips and bays constructed in accordance with conditions in section 2.1
C2 - General Management - Management system and operating procedures	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
C3 - General Management - Materials acceptance	C2 Significant	No waste other than those, which are categorised below in table 1.2A and specified in detail in Appendix A, to these conditions shall be accepted at site
A1 - Specified by permit	C3 Minor	1.1.2 No deposit of

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		waste shall take place outside the area of land marked in red on Drawing No. (one) of the working plan

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

Total number of non-compliances recorded	Total non-compliance score
3	66

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
C4	Reduce waste volumes on site so that they are stored within the capacity of the storage bays/skips and also in line with site EMS and FPMP.	31/08/2023
C2	Submit an updated and consolidated version of the site's Environmental Management System (EMS). Ensure that the EMS is site specific and that the permitted site adjacent has its own separate EMS.	15/09/2023
C2	Please submit the most up to date version of the site's FPMP (Fire Prevention & Mitigation Plan). Ensure this document is specific to the permit.	15/09/2023
G4	Review EMS procedures to ensure that all incoming and outgoing wastes are accurately coded and described, in accordance with WM3 guidance.	15/09/2023
G4	Send waste Transfer Notes to the NRW Regulatory Officer for the site, which evidence the removal of trommel fines from site. Please include all Waste Transfer Notes for 2022.	31/08/2023
C3	Stop accepting Plasterboard. Remove all plasterboard from site and provide NRW with Waste Transfer Notes to evidence its removal. In addition, review the site's waste acceptance procedures to ensure that non-permitted waste types are prevented from entering site.	31/08/2023
A1	Remove all waste from this area that has been deposited by World care (wales) ltd. Ensure that all skips are stored securely (ideally on site), so as not to encourage fly tipping in this location.	11/08/2023

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 routine inspection took place on Monday 10th July 2023. This visit was to also act as a handover meeting for the site's new Regulating Officer, Sarah Walton (Waste Regulation Officer). Also in attendance from Natural Resources Wales, was Donna Muirhead (Waste Regulation Officer) and Ricky Lee Hartleb (Tackling Waste Crime Officer), who was there to observe.

Officers met with the owner, Lee Jones.

It was explained that this inspection was a follow up to the audit completed in March earlier this year and also as a site familiarisation visit for Sarah.

The meeting began in the site office, where Donna went through audit CAR form report. The audit took place on 16/03/2023 (Reference CAR_NRW0041885) and it had a number of actions noted on there which required attention.

The main focus of the audit was documentation and record keeping, along with a waste stream audit of wood and plasterboard wastes.

G4 Reporting to Natural Resources Wales

Permit Condition 6.2.2: "A summary record, including nil returns, of the waste types accepted shall be made for each quarter and submitted to the Agency within one month following the end of each quarter. The summary record shall be in the format specified in appendix B, and shall include the specified information."

It was noted in the audit, that Waste Returns submitted for the site, only showed 1 waste type coming in which is 17-09-04 (Mixed Construction & Demolition wastes). It was advised that incoming wastes are classified more accurately, because the site accepts some single waste streams, such as wood and garden waste, which do not fall under the description of Construction and Demolition wastes.

In advance of this inspection, a further review of recent Waste Return data was completed. This has shown that the site is still only accepting 1 waste code which is 17-09-04.

Whilst on site, some Waste Transfer Notes were viewed in the office. One waste transfer note showed green garden waste being classified as 17-09-04. If waste arises from households, a code under section 20 of WM3 guidance may be more appropriate. Please see the link below for guidance on classifying waste:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/how-to-classify-and-assess-waste/?lang=en>

ACTION: Review EMS procedures to ensure that all incoming and outgoing wastes are accurately coded and described, in accordance with WM3 guidance.

Waste Returns were reviewed again following the inspection. Despite the site having a trommel on site, there is no evidence of any trommel fines leaving site. It is expected that this waste would be coded 19-12-12/19-12-11*.

ACTION: Please confirm how trommel fines leave the site, with confirmation of the LoW code and description assigned to this waste. Please include all Waste Transfer Notes for the year 2022, which evidence removal of trommel fines from site.

C4 Storage, Handling, Labelling and Segregation





Photographs showing storage of waste on site

Permit Condition 1.1.4 (Table 1.1): *"Maximum storage capacity of the site shall not exceed that which can be contained within skips and bays constructed in accordance with conditions in section 2.1 "*

As can be seen from the photographs above, there is a significant amount of waste currently being stored on site. This is greatly exceeding the capacity of the bays and skips that it should be contained in. The excess waste is evident given that the skips and bays are no longer visible.

Access cannot be gained to the rear of the site unless you now walk around the site next door. This permit breach of waste storage also means the site is not compliant with the EMS (Environmental Management System) or the FPMP (Fire Prevention and Mitigation Plan). Wastes are not being accepted and stored in accordance with these management documents.

There is concern that no waste acceptance checks are being completed, coupled with the fact that all wastes are being mixed together on site. There could be combustibles such as lithium ion batteries within these wastes which could self combust.

Lee Jones explained that the trommel has been out of order which has meant waste has been stockpiled whilst the machinery is awaiting repair. Given the trommel was broken on the previous site inspection in March 2023, it is very likely this waste has been stored for a number of months, again increasing the risk of fire through self combustion.

The current storage of wastes poses a significant fire risk. Should a fire break out on site, this could cause major disruption to neighbouring properties and also the adjacent highway (A55), which could result in road closures and resource from the emergency services.

The site is also within 500m of a site of special scientific interest (Aber Afon Conwy), including the local Conwy RPSB Nature Reserve. Any fire on site has the potential to affect these designated areas.

As such, the site has been scored a C2, for this permit breach due to the potential for significant environmental impact.

ACTION: Reduce and clear waste from site, to ensure that waste is stored in line with permit condition 1.1.4 (Table 1.1) i.e. contained only within skips and bays. Ensure that Duty Of Care Waste Transfer Notes for all waste removed, are sent to NRW's Regulating Officer.

Given this Category 2 breach, an enforcement response will follow, which will be communicated to you in due course.

C2 Management System and Operating Procedures

As noted above, the site is not operating in accordance with the site Environmental Management System (EMS), or the Fire Prevention & Mitigation Plan, due to the location and volumes currently being stored on site. However, only one score has been assigned for this issue which is against permit condition 1.1.4.

Upon reviewing the management system (EMS), it has been found that this is made up of nearly 40 separate documents. This makes it very challenging to review and piece together. It is recommended for the benefit of both the operator and regulator, that the EMS is consolidated into one document, so that all procedures are in one place and easy to read and navigate.

ACTION: Submit a copy of the site EMS, which is consolidated into one working document. This document should be permit specific. The permitted site next door should have its own EMS in a separate working document.

ACTION: Please also submit the most up to date version of the site's FPMP (Fire Prevention & Mitigation Plan). Again, this should be permit specific.

C3 - Materials Acceptance

Permit condition 1.2.1 *"No waste other than those, which are categorised below in table 1.2A and specified in detail in Appendix A, to these conditions shall be accepted at site".*





Photographs showing the storage of plasterboard (gypsum based waste).

As can be seen from the photographs above, the site is accepting plasterboard which is a gypsum based construction waste. Officers witnessed a large amount of plasterboard mixed with other wastes. This is more than 'incidental' levels. The site is not permitted to accept this waste type (LoW code 17-08-02). Plasterboard waste is being stored in a large pile at the rear of the site, which has already begun to degrade and spill beyond the site boundary. This waste is being stored longer than 7 days which is also a breach of EMS conditions. Non conforming waste types should be quarantined and removed from site within 7 days.

Discussions on site also evidenced that the site does not have thorough waste acceptance procedures, which means non permitted waste types are regularly entering the site (such as Plasterboard).

As plasterboard is mixed in with other wastes on site, the site isn't taking sufficient precaution to ensure that waste which may eventually destined for landfill, does not contain gypsum/plasterboard. The co-disposal in landfill of gypsum containing waste has been prohibited since 2009 by the Landfill Directive.

There is risk of environmental impact if waste from site contaminated with gypsum, is later deposited in a landfill with other biodegradable wastes. These risks include strong malodours associated with emissions of hydrogen sulphide, a breakdown product of gypsum, within landfill gas. It also has the potential to cause corrosive damage to landfill gas collection / treatment systems.

As such, the site has been scored a C2 for this permit breach.

ACTION: Remove all plasterboard from site and provide NRW with Waste Transfer Notes to evidence the removal.

ACTION: Review Waste acceptance procedures to ensure that non permitted waste types are prevented from entering site.

A1 Specified by permit

Waste Storage outside of permit boundary

Permit Condition 1.1.2 "No deposit of waste shall take place outside the area of land marked in red on Drawing No. (one) of the working plan."



Photographs showing unlawful waste deposit on road adjacent to permitted site

The photographs above show an unlawful deposit of waste on land. Lee explained that these skips were owned by World Care (Wales) Ltd. These skips contained black bin bag waste. There were also a number of waste fridges/freezers adjacent to the skips. It is likely that by storing skips here, this is attracting others to deposit waste here too.

As this waste is being stored outside the permit boundary, this has been assigned a **C3 score** against permit condition 1.1.2. This area does not benefit from the same controls as the permitted area (such as sealed drainage, impermeable surfaces and site security). Storing waste in this manner poses a risk to the environment and wildlife. Fridges and Freezers are classed as hazardous waste. Components such as circuit boards, motors and any plastic parts may contain hazardous chemicals or POPs (Persistent Organic Pollutants). Coolants and foam may also be hazardous. These pollutants could easily escape and impact the local environment.

ACTION: Remove all waste from this area that has been deposited by World care (wales) ltd. Ensure that all skips are stored securely (ideally on site), so as not to encourage any fly tipping in this location.

Officers signed out of the site at approximately 1pm.

Thank you to all staff who assisted with the inspection.

Should you wish to discuss or query anything in this CAR form, please get in touch using the details below.

Kind Regards,

Sarah Walton

Waste Regulation Officer

Email: sarah.l.walton@cyfoethnaturiolcymru.gov.uk

Post: Natural Resources Wales, Maes y Ffynnon, Penrhosgarnedd, Bangor, Gwynedd, LL57 2DW

In this document 'Natural Resources Wales' means the Natural Resources 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.