

Compliance Assessment Report CAR_NRW0042439

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: Other.

On 06/09/2023 between 10:25 and 11:25.

Parts of permit assessed: Dust/fibres/particulates and litter, Materials acceptance, Management system and operating procedures, Records of activity, 'Specified by permit'.

NRW Lead Officer: Sarah Walton.

Report sent to: Lee Jones, Owner/Technically Competent Manager on 15/09/2023.

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	C3 Minor	Permit Condition 5.1.2 All emissions to air from the specified waste management operations on the site shall be free from visible concentrations of dusts, fibres or particulates as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Agency
C3 - General Management - Materials acceptance	C2 Significant (Suspended)	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	C3 Minor	Permit Condition 1.7.1(a)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
system and operating procedures		: 'The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in table 1.2, unless otherwise agreed in writing by Natural Resources Wales'.
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Action only (X)	
A1 - Specified by permit	C3 Minor	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.

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

Total number of non-compliances recorded	Total non-compliance score
4	12

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
F3	Monitor dust emissions and dampen down when required. Enact EMS procedures for dust management.	22/09/2023
C3	Remove waste from site, so that waste can be contained within skips and bays only. Submit waste transfer notes to NRW for all waste removed, from the point this non compliance was first identified (10th July 2023).	16/10/2023
C2	Stop the transfer of trommel fines to Worldcare Recycling Ltd EPR/AB3998CJ.	15/09/2023
G2	Submit to NRW, Waste Transfer Notes for all wastes transferred to and from Worldcare Recycling Limited EPR AB3998CJ, for Quarter 2 and Quarter 3 of 2023.	06/10/2023
A1	Remove all waste that has been deposited by World Care (wales) ltd , outside the permit boundary. Ensure skips are stored within a secure area.	22/09/2023

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

An unannounced site visit took place on 6th September 2023. Sarah Walton (Waste Regulation Officer) and John Holmes (Enforcement Officer), attended site to hand deliver an Environmental Permitting Regulations(EPR) 2016 Regulation 36 Notice. Prior to entering site, officers observed vehicles from site leaving and entering, creating a large amount of dust.

(F3) Dust/fibres/particulates and litter

Permit Condition 5.1.2: 'All emissions to air from the specified waste management operations on the site shall be free from visible concentrations of dusts, fibres or particulates as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Agency'.





Photograph showing dust emissions to air and mud and debris on the highway.

The above photograph shows a JCB, operated by World Care, causing dust emissions outside of the permit boundary. Officers observed this vehicle moving waste between this site and the separately permitted site next door. This dust from site could contain harmful particles which could affect the local environment. There is also concern for the welfare of staff on site and neighbours of the site, should this dust be inhaled.

As such, **a CCS score 3 has been assigned for breach of permit condition 5.1.2.**

Once officers entered site, they met with the owner Lee Jones. The issue was explained to Lee, who stated that he would dampen down the site and clean the highway outside the permitted area.

ACTION: Monitor dust emissions from site and enact EMS procedures to ensure that the site does not emit dust emissions to the local environment.

Lee guided officers to the site office. Here, Sarah handed over the EPR 2016 Regulation 36 Notice and explained the requirements of the notice. The previous two CAR forms were also handed over to Lee as physical copies. Lee was reminded of the outstanding actions from these previous reports.

(C3) Materials acceptance

Permit Condition 1.1.4: 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

Lee explained that the waste levels on site were coming down and that progress was being made on this front.



Photographs showing waste storage on site

The above photos show waste storage on site, which is still in excess of what can be contained within skips and bays. Whilst NRW are pleased that waste quantities are gradually coming down, it is clear that waste is still being accepted to site as normal. The site is currently over capacity, so no waste should be brought onto site until compliant with permit condition 1.1.4.

As mentioned previously, the site has now been issued a notice to remove waste from site,

so that waste is only contained within skips and bays. **Because a notice is in place for this permit condition, the score has been suspended. Should the site not comply with the notice, a CCS2 score for this permit breach will be re-instated.**

(C2) Management system and operating procedures

Permit Condition 1.7.1(a) : 'The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in table 1.2, unless otherwise agreed in writing by Natural Resources Wales'.

Operating procedure No 13 of the site EMS, details the steps to be taken when World Care (Wales) Ltd, transfers waste to the adjoining sister site run by Worldcare Recycling Ltd. This operating procedure details the waste types that can be transferred from operations at World Care (Wales) Ltd to the site operated by Worldcare Recycling Ltd.

As officers entered site, they observed residual waste from the end of the trommel, being transferred to the sister site next door (Permit EPR/AB3998CJ).



Photograph showing wastes from the end of the trommel, being moved to the adjacent permitted site (Worldcare Recycling Limited EPR/AB3998CJ).

As the above photo is showing waste taken from the end of the trommel which has been mechanically treated. It is expected that this waste would leave site under a chapter 19 waste code. Lee confirmed that this waste is coded as 19-12-12. A check of permit EPR/AB3998CJ, notes that the site can accept 19-12-12 but this must only consist of 'treated bottom ash including IBA and slag other than that containing dangerous substances'. The waste pictured above, is from the end of the trommel and therefore not a

permitted waste type that can be accepted.

EMS procedure No13, does not stipulate that 19-12-12 is an authorised waste type that can be transferred between the two sites. The site has therefore breached permit condition 1.7.1 (a) by not complying with EMS procedures, but has also committed an offence by depositing waste at a site that is not authorised to accept it. This would be an offence under Environmental Protection Act 1990, Section 33(1)(a) by Depositing controlled waste on land other than in accordance with an environmental permit.

As such, the permit has been scored a CCS3 on this occasion.

ACTION: Stop the transfer of trommel wastes to Worldcare Recycling Limited (EPR/AB3998CJ).

ACTION: Submit to NRW, Waste Transfer Notes for all wastes transferred to and from Worldcare Recycling Limited EPR AB3998CJ for Quarter 2 and Quarter 3 of 2023. Please submit these documents by Friday 6th October 2023.

A1 Specified by permit - Waste Stored outside 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.

Officers then went out of the site, to check the bottom of the road, just a short walk from site. There was an action on CAR_NRW0042138 (from site inspection on 10th July 2023), to remove all waste deposited by World Care (wales) ltd, outside of the permitted boundary.





Photographs showing waste deposited by World Care outside the permit boundary and possible fly-tipped wastes.

The above photographs show a blue skip containing metals from World Care (wales) ltd. Lee explained that this skip here whilst it was waiting to be collected by Lelo Metal Recycling Ltd (Lelo). A similar blue skip destined for Lelo was also being stored here on the inspection on 10th July 2023. There was also a full red and yellow skip with a green cover over that Lee explained was World Care's waste. The site must not store waste outside the

permit boundary.

Lee stated that most of the other waste has been fly tipped and that he was in touch with Conwy Council about this issue.

ACTION: All skips containing waste, must be moved back into the permitted area. It is advised that all skips owned by World Care, are moved into a secure area because it is very likely that this storage arrangement is encouraging others to fly tip waste in this area.

This has been assigned a CCS 3 score for storing waste outside the permit boundary. This area has not been approved for waste storage and so the risks cannot be managed in this area.

Some waste transfer documentation was viewed in the office prior to leaving. This included summary loads to companies described as 'Bodens' and 'Allen & Smith'. Waste Transfer Notes have been requested as part of the Regulation 36 Notice requirements.

At present, the non-compliances observed on site are a serious concern. Actions from previous CAR forms have not been addressed and we are yet to receive documentation as requested in previous correspondence. Failure to comply fully with the Regulation 36 EPR 2016 Notice would be an offence and could result in further enforcement action. Please communicate with the Regulating Officer regarding progress with the CAR actions and also the steps laid out in the notice.

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.