

Compliance Assessment Report CAR_NRW0042497

Permit being assessed: JP3698FK.

For: LAS Waste Ltd., held by L.A.S. Recycling Limited

At: Tregaron Road, Lampeter, Ceredigion, SA48 8LT.

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

On 13/09/2023 between 11:00 and 12:30.

Parts of permit assessed: All operational areas

NRW Lead Officer: Malcolm Dines, accompanied by Liz Park.

Report sent to: danielle parry, H&S Manager on 09/10/2023.

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	C3 Minor	1.1.2
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
D2 - Incident Management - Accidents, emergency and incident planning	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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	Assess risk of flooding or escape of waste due to gap between concrete wall and earth bank and provide date by when mitigation work will be completed	01/11/2023
B1	Provide a plan of work to repair the yard area next to the recycling baling shed and timescales for completion	01/11/2023
D2	Review your FPMP with regards to NRW considering the bays in the lower yard to be one continuous stack. If necessary you must revise your FPMP and carry out any necessary changes to the bays or your site to ensure that you are complying with current FPMP guidance.	01/01/2024

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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 was a routine announced compliance visit carried out by Malcolm Dines and Liz Park, who met with Danielle Parry (Environment, Health & Safety Manager), Lianne Timmermann (Technically Competent Manager) and Gareth Danter-Hill (Consultant), all of whom accompanied us around the site visit. Mark Saunders (Director of L A S Recycling Ltd) joined the group part-way through the compliance visit. The weather was dry and clear and the purpose of the visit was to assess on-going compliance at the site.

Permit Breaches

B1 - Engineering for prevention and control of emissions - Cat 3: Permit Condition 1.1.2

You have been given this breach of the above Permit Condition because during the site visit it was identified that there is gap in the site boundary between the concrete walls of the bays and the earth bund. This gap is to allow access to the clean-water outfall however, in the event of the River Dulas flooding, this gap will allow flood waters to enter the site.

An action in Compliance Report CAR_NRW0039173 required you to review your Flood Risk Action Plan and that some mitigation of the risk of flooding was likely to be required, as you were also required to repair the boundary wall in the Household Waste Recycling area of the site. During this visit it was seen that you have repaired the boundary wall in the Household Waste Recycling area and erected netting along the top of the waste bays in the lower yard. However, when you reviewed your Flood Risk Action Plan, the access to the clean-water outfall should have been identified as a flood risk and work should have been carried out to mitigate this risk.

Although this breach is unlikely to result in a significant impact to the environment, it is reasonably foreseeable that it would cause a minor pollution of the environment.

Actions – Assess the risk of flood waters entering the site through the gap between the bay wall and the earth bund and provide a plan and timescales for the completion of mitigation work. As this part of the site is within the Flood Warning Area it is expected that some mitigation will be required. A deadline of 1st November 2023 has been specified for this action to be completed.

B1 - Engineering for prevention and control of emissions - Cat 4 (Consolidated): Permit Condition 2.1.1

You have been given this breach of the above Permit Condition because during the compliance visit it was noted that the impermeable pavement of the lower yard outside the recycling baling shed is in poor condition. Compliance Report CAR_NRW0039173 contained an action for this to be repaired and you subsequently stated that the work had been authorised. The damaged surface is in an area that has heavy traffic and the damage must be repaired. It is acknowledged that this repair work will be costly and will cause disruption to the site due to the importance of the location, but this is also why the work must be carried out.

The score for this breach is consolidated under the category 3 breach already scored under this compliance criteria.

Action – Submit timescales by when work to repair the surface of the lower yard will be completed. A deadline of 1st November 2023 has been specified for this action to be completed.

D2 - Accidents, emergency and incidents planning - Action Only: Permit Condition 4.7.1

You have been given this action-only breach of permit as during the site visit your Fire Prevention and Mitigation Plan (FPMP) was discussed with regards to how the waste bays in the lower yard are designed and laid out. Natural Resources Wales (NRW) consider that, under current guidance, these bays form one continuous stack and as such, you must ensure that your site and FPMP comply with the guidance taking this into account.

Action - Review and, if necessary, revise your FPMP with regards to NRW considering the bays in the lower yard to be one continuous stack. If necessary carry out any changes to the bays or your site to ensure that you are complying with current FPMP guidance. The deadline for this action is 01/01/2024

Other matters

The next compliance work undertaken at the site will include a review of your Fire Prevention and Mitigation Plan and the Site Drainage.

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.