

Compliance Assessment Report CAR_NRW0042803

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 09/11/2023 between 14:20 and 15:00.

Parts of permit assessed: See below

NRW Lead Officer: Sarah Walton.

Report sent to: Jonathan Lee Jones, TCM / Owner on 17/11/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	Permit Condition 2.1.2: 'The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose, and, where provided, to meet the standards specified in Table 2.1 below'.
C2 - General Management - Management system and operating procedures	C3 Minor	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'.
C3 - General Management - Materials acceptance	Action only (X)	
C3 - General Management - Materials acceptance	C3 Minor	Permit condition 1.2.1 : "No waste other than

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		those, which are categorised below in table 1.2A and specified in detail in Appendix A, to these conditions shall be accepted at site".
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	6.2.2 A summary record, including nil returns, of the waste types accepted shall be made for each quarter and shall be submitted to the Agency within 1 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.

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

Total number of non-compliances recorded	Total non-compliance score
4	12.1

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
B3	Please submit evidence to NRW that shows site containment and drainage systems are designed, constructed, inspected, validated and maintained, and fully documented and recorded, to be fit for purpose.	15/12/2023
C2	The only Chapter 19-12 waste codes that can be moved to Worldcare Recycling Ltd are 19-12-05 and 19-12-09. Transfer of any other 19-12 waste codes should stop immediately. Waste Transfer Notes should be kept for all waste movements between the permitted sites.	17/11/2023
C3	Ensure waste volumes remain within the capacity of skips and bays, allowing room for incoming wastes so that the site can operate in compliance with permit condition 1.1.4.	17/11/2023
C3	Remove all plasterboard from site and provide NRW with Waste Transfer Notes to evidence the removal. This should be taken to a suitably authorised facility that can accept LoW Code 17-08-02 / gypsum based construction wastes.	29/12/2023
G4	Submit the outstanding Waste Returns for Quarter 2 and Quarter 3 of 2023.	24/11/2023

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.

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

A site inspection took place on Thursday 9th November 2023. Representing NRW was Sarah Walton (Waste Regulation Officer) and John Holmes (Enforcement Officer). Officers met on site with Lee Jones (Owner/TCM). The purpose of the inspection was primarily to check compliance with the Environmental Permitting Regulations 2016 Regulation 36 Notice (issued to site on 26th October 2023).

The inspection began with a walk around site.

(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 Environmental Management System (EMS), details the steps to be taken when World Care (Wales) Ltd, transfers waste to the adjoining inert waste treatment 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.



Photograph showing waste storage following trommel treatment

The waste being treated by the trommel was discussed (see photograph above). Lee explained that the waste at the end of the trommel, is moved to the inert treatment site next door (EPR/AB3998CJ).

This site holds a tier 2 bespoke permit for treatment of waste to produce soil, soil substitutes and aggregate. It was queried what LoW code was assigned to the waste pile at the end of the trommel. Lee appeared to be unsure. As this waste has been treated through the trommel, it is expected this waste would be assigned a Chapter 19 waste code as per WM3 waste classification guidance. The permit for the site next door, can only accept two different chapter 19-12 waste codes (waste from the mechanical treatment of waste), which are 19-12-05 described as glass (consisting of clean glass only) and 19-12-09 described as minerals such as sand and stone. The photograph above is neither glass or minerals, therefore this waste should not be transferred to Worldcare Recycling Ltd EPR/AB3998CJ.

This would be classed as an unlawful waste transfer and would be an offence under Section 33(1)(b) of the Environmental Protection Act 1990 to submit controlled waste or knowingly cause or knowingly permit controlled waste to be submitted to a listed operation, other than as operated within section 33(1)(a) without, or not in accordance with a permit and/or an offence under Regulation 38(2) of the Environmental Permitting Regulations 2016 through failure to comply with or to contravene an environmental permit condition.

Standard Operating Procedure 13 of the site EMS, states 'Only the following waste types can be transferred from operations at World Care (Wales) Ltd to the permitted site operated by Worldcare Recycling Ltd'. The only Chapter 19 codes listed are 19-12-05 and 19-12-09 (as noted above). Through transferring waste types, other than the two codes stipulated above, to Worldcare Recycling Ltd, this is also a breach of EMS conditions.

In addition to this, no waste transfer notes are being made or retained for the waste

movements between the two sites. This is also an offence under Section 34(5) and 34(6) of the Environmental Act 1990.

There is concern about the waste movements between the two sites and that the two separate permits are operating as one complete site. Waste Transfer Notes must be kept for any waste movements between the two separate permitted sites.

As such the site has been scored a CCS C3 Score against permit condition 1.7.1 (a).

This is because the site is allowing unauthorised waste streams to enter Worldcare Recycling Ltd. These waste streams could be non-inert due to contamination from skips and trommel activities and could therefore contaminate inert waste streams, affecting the use and end destination of waste.

ACTION: The only Chapter 19-12 waste codes that can be moved to Worldcare Recycling Ltd are 19-12-05 and 19-12-09. Transfer of any other 19-12 waste codes should stop immediately. Waste Transfer Notes should be kept for all waste movements between the permitted sites.

(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'.





Photographs showing waste storage on site

The above photographs show waste storage on site. The site has made good progress to bring waste quantities down on site. Waste is now predominantly stored within skips and bays. Whilst World Care (wales) Ltd have mostly complied with the EPR 2016 Regulation 36 Notice, there are some areas that still need to be improved.

The waste storage levels on site are at / just over capacity. This leaves no room for further waste to come into site to be treated. Waste volumes need to be brought down so that it is comfortably within skips and bays, so that there is room to operate and remain in compliance with permit condition 1.1.4.

ACTION: Ensure waste volumes remain within the capacity of skips and bays, allowing room for incoming wastes so that the site can operate in compliance with permit condition 1.1.4.

Whilst NRW are satisfied the notice has been generally complied with, the operator should continue to work on waste volumes, to avoid any future breaches of permit conditions and subsequent enforcement action.

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 plasterboard storage on site

It has been noted on previous CAR forms, that the site has accepted plasterboard, which is a gypsum based construction waste. The site is not permitted to accept this waste type (LoW code 17-08-02). Whilst levels of plasterboard contamination within waste stock piles did not appear as severe as in previous visits, some plasterboard is still evident within waste stockpiles. There also continues to be a bay full of degraded plasterboard in the rear corner of the site. This has now been here for a number of months, which is also a breach of EMS conditions which state 'non conforming waste types should be quarantined and removed from site within 7 days'.

As plasterboard is mixed in with other wastes on site, the site isn't taking sufficient precaution to ensure that waste which may eventually be 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.

The site has therefore been scored a CCS C3 for this permit breach.

ACTION: Remove all plasterboard from site and provide NRW with Waste Transfer Notes to evidence the removal. This should be taken to a suitably authorised facility that can accept LoW Code 17-08-02 / gypsum based construction wastes. **This should be completed by Friday 29th December 2023.**

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

B3 Site drainage engineering (clean and foul)

Permit Condition 2.1.2:

'The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose, and, where provided, to meet the standards specified in Table 2.1 below'.





Photographs showing standing water on site

The above photographs show standing water on site. Due to the amount of debris on the floor, it is hard to tell what lies beneath and if this is impermeable ground/Hardstanding. No drains could be seen. The standing water would suggest the drainage is currently not effective. This means there is risk of contaminated run off leaving site, with the most likely route out the entrance/exit of the site and down the road into surface water drains. This would be an issue due to the amount of mud, silt and waste debris that this run off would contain.



Photographs showing oil contamination on site

Oil was also observed on the ground of the site which Lee explained was from faulty machinery. Again, there is concern that this oil could contaminate the ground by running off onto unmade permeable ground or could contaminate waste stored on site. The first photograph shows a black oily substance on the ground at the rear of the site and also contaminating some of the wood pile. Lee explained this black substance was scraped up from the floor.

If site drainage is not effective, oily runoff will not be collected by the interceptors.

As such, the permit has been scored a CCS C3 score.

ACTION: Please submit evidence to NRW that shows site containment and drainage systems are designed, constructed, inspected, validated and maintained, and fully documented and recorded, to be fit for purpose. **Please provide this evidence by 15th December 2023.**

G4 Reporting and notification to Natural Resources Wales

Permit Condition 6.2.2:

'6.2.2 A summary record, including nil returns, of the waste types accepted shall be made for each quarter and shall be submitted to the Agency within 1 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'.

A check of the permit's file, has found that no Waste Returns have yet been submitted for Quarter 2 and Quarter 3 of 2023. These documents should be submitted within 1 month following the end of each quarter. **As such, the permit has been scored a CCS C4 for this breach.**

ACTION: Please submit the outstanding waste returns for Quarter 2 and Quarter 3 of 2023 **by 24th November 2023.**

Officers returned to the site office to collect paper work in relation to the EPR 2016 Regulation 36 Notice, before proceeding to carry out an inspection at the adjacent site. Officers will now review the paperwork provided by World Care (wales) Ltd and will issue a response in due course.

Thank you to staff who assisted officers throughout 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.i.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.