

Compliance Assessment Report CAR_NRW0042585

Permit being assessed: AB3493CS.

For: Unit 1- Crugmore Farm, held by M D Recycling Limited

At: Crugmore Farm, Penparc, Cardigan, Ceredigion, SA43 1RD.

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

On 21/06/2023 between 11:00 and 11:30.

Parts of permit assessed: Operational Areas

NRW Lead Officer: Malcolm Dines, accompanied by Chris Gilbey.

Report sent to: Marc Davies, Owner on 27/11/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	2.1.1
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.3.1

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

Total number of non-compliances recorded	Total non-compliance score
2	8

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
A1	Stop waste wood activity.	01/01/2024
C2	Submit latest version of EMS for review	01/01/2024
C4	Ensure that all wastes are stored in accordance with the permit	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 Chris Gilbey who met with and were accompanied by Marc Davies, owner and operator of the site. The weather was wet with heavy showers.

The roof of the transfer building is leaking and although this does not seem to have a big impact on operations, you need to ensure that it does mean that wastes stored in the building are no longer fit for recycling and that it does not impact the ability to operate, especially given that you have a lot of waste in a small space. Your ability to manage issues such as this is severely restricted due to the lack of space.

Permit Breaches

A1 - Specified by Permit - Cat 3: Permit Condition 2.1.1

You have been given this Category 3 breach under the permit condition as you are mechanically treating waste wood by shredding or chipping, which is not an activity allowed under your permit. This was an activity that you previously operated under a T6 Exemption, but at present you do not have this exemption notified at your site. As this operation is being carried out within the permit boundary it is considered that you are carrying out an activity that is not authorised by the permit, rather than an unpermitted (illegal) waste activity.

Action: In order to continue this activity you must ensure that it is compliant with the Environmental Permitting Regulations 2016 either through the notification of an exemption, varying your permit, or stopping the activity. **By 1st January 2024**

C4 - Storage, handling, labelling and segregation - Cat 3: Permit Condition 2.3.1

You have been given this category 3 breach under the above permit condition because during the compliance visit it was observed that wastes were being stored outside the building and not in secure containers.

At the time of this site visit, there were several skips of wastes stored outside the transfer building and a stockpile of scrap metal wastes stored in a bay next to the transfer building. There were also two full skips that were being stored outside the permit boundary that you stated were awaiting removal from the site.

Your permit requires you to store all wastes within a building, except for certain specified wastes. The wastes being stored in the bay outside the building is not a specified waste and therefore this is a breach of permit condition 2.3.1 as this material is not stored within the building or a secure container.

Action – Ensure that all wastes are stored within buildings or secure containers at all times

as required by your permit. **By 1st July 2023.**

C2 - Management System and Operating Procedures - Action Only: Permit Condition 1.1.1

The breach of permit condition 2.3.1 above, is primarily a result of insufficient space within the boundary of this permit for you to be able to carry out operations in accordance with the permit. During the compliance visit, we discussed your plans to make significant changes to the site which would result in the consolidation of this permit and the bespoke permit you also operate at the site.

The waste transfer activity carried out under this permit has now outgrown the building and although you are permitted to store wastes outside the building they must be stored in secure containers. A secure container is one that prevents the waste within it escaping: so if the material is light and could be blown away by wind it must be covered or netted; if the quality of the wastes could be degraded or become harmful by becoming wet then the containers must prevent the ingress of water.

Additionally, a lot of the permitted area outside the building where waste could be stored securely is taken up by your waste wood operation.

Action: Because of the issues identified above, please submit the latest version of your Environmental Management System (EMS) to myself. NRW will then review your EMS on a subsequent Compliance Report.

Other Matters

Marc Davies' Continuing Competency was checked and both the Non-hazardous Transfer and Non-hazardous Treatment certificates were up-to-date, both have expiry dates of March 2025.

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.