Compliance Assessment Report CAR_NRW0042879

Permit being assessed: ZP3798VA.
For: Penrhyndeudraeth Works, held by Veolia ES (UK) Ltd
At: Unit 13-14, Cookes Industrial Estate, Penrhyndeudraeth, Gwynedd, LL48 6LT.

Type of assessment carried out: Site Inspection, Reason: Routine.
On 13/11/2023 between 11:40 and 12:30.
Parts of permit assessed: See below

NRW Lead Officer: Sarah Walton.
Report sent to: Jayne Sutcliffe, Operations Manager on 30/11/2023.

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)	Action only (X)	
C3 - General Management - Materials acceptance	C3 Minor	2.2.1 Wastes shall only be accepted if: (a) it is of a type and quantity listed in schedule 2, table 2.2
C4 - General Management - Storage, handling labelling and Segregation	C4 No impact	2.1.1 The licence holder is authorised to carry out the activities specified in schedule 2, table 2.1 ("the activities").
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1 "The activities shall be managed and operated: (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		complaints".
C1 - General Management - Staff competency/training	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
3	8.1

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	-Provide details of the drainage issue that occurred on site prior to site inspection on 13/.11.23. -Confirm whether site drainage is sealed and in good working order. -Submit up to date drainage plan for the site	15/12/2023
C3	Remove non-conforming wastes from site and provide NRW with Waste Transfer Notes/ consignment notes to evidence the removal.	15/12/2023
C4	Ensure all bulking or transfer of non-hazardous Household, Commercial & Industrial waste is carried out on an impermeable surface with sealed drainage.	08/12/2023
C2	Reduce quantity of waste being stored within the transfer building, so that is it stored in accordance with site EMS.	15/12/2023
C1	Please provide technical competency certificate for the site's Technically Competent Manager.	08/12/2023

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.

At this time, we do not intend to take any further action.

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 routine site inspection took place on Monday 13th November 2023. Sarah Walton (Regulation Officer) and Chris Nunn (Enforcement Apprentice), met on site with Gareth Wrench (Yard Operative). Gareth explained that Gary Treadwell was the Site Manager, but that the was happy to show officers around site in his absence.

B3 Site drainage engineering (clean and foul)

Permit Condition 2.1.1 ***"The licence holder is authorised to carry out the activities specified in schedule 2, table 2.1 ("the activities")" which states "All bulking or transfer of non-hazardous waste must be carried out on an impermeable surface with sealed drainage".***





Photographs showing site yard and drains

Gareth walked officers around the site. The area to the right of the site entrance was checked first. There was noticeable dark sludge and oily substance on the impermeable ground but also on the unmade ground along the boundary of the site. Gareth explained that there had been a blockage and run off from site had collected in this area. The run off had been removed and taken off site.

ACTIONS:

- **Provide details of the drainage issue that occurred on site prior to site inspection on 13.11.23.**
- **Confirm whether site drainage is sealed and in good working order.**
- **Submit up to date drainage plan for the site.**

Please submit to NRW, waste transfer notes showing the removal of the waste liquid from site.

Compliance criteria C3: Materials Acceptance

Permit Condition 2.2.1: ***"Wastes shall only be accepted if: (a) it is of a type and quantity listed in schedule 2, table 2.2 ".***



Photograph showing waste storage outside

The outside yard area had a variety of wastes being stored here, including wood, baled plastics & cardboard and construction/demolition rubble.





Photographs showing waste gas canister storage

Towards the rear of the site, were two metal crates containing waste gas canisters, which was labelled 'Haz-chem multi-storage'. This waste type is not specified on the site permit and so the site is not authorised to accept this waste.
The site no longer has any hazardous waste codes on the permit, following a permit variation in 2018.
It was unclear whether these gas bottles were full or empty and exactly what they contained. They were also being stored in a disorganised manner on/near permeable ground. Waste gas bottles should be stored upright to help avoid any leaks or spillages.
Any non-conforming wastes should be stored in a quarantine area on an impermeable surface. These gas bottles were not being stored in accordance with the site's environmental management system, storage map (Dated 11th December 2018), which shows the quarantine area to be in the centre of the outside yard area.
As such, the permit has been scored a C3 on this occasion for accepting un-authorised waste types on site.
Any non-permitted waste types that may come into site should be quarantined straight away and this area should be clearly defined.

ACTION: Remove waste gas canisters from site and provide NRW with Waste Transfer Note/Consignment Notes to evidence their removal.

Compliance Classification C4: Storage, Handling, Labelling & Segregation.

Permit Condition 2.1.1: "*The licence holder is authorised to carry out the activities specified in schedule 2, table 2.1 ("the activities") All bulking or transfer of non-hazardous waste must be carried out on an impermeable surface with sealed drainage".*



Photograph showing a skip being stored on site

The above skip was being stored at the rear of the site. The permit states 'Non-hazardous waste must be kept on an impermeable surface with sealed drainage'. It appeared to be being stored on hard standing as opposed to being stored on impermeable ground with sealed drainage.
As this waste was being stored within a skip and not directly on the hardstanding surface, the permit has been scored a CCS C4 score for this permit breach.

ACTION: Please ensure that all wastes are stored on impermeable ground with sealed drainage.

Compliance criteria C2 Management System and Operating Procedures

Permit condition 1.1.1: "***The activities shall be managed and operated: (a) in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of complaints".***



Photograph showing storage of waste within the transfer building

The above photographs show storage of Household, Commercial & Industrial wastes within the transfer building. The storage of wastes in this building was exceeding the concrete divider on far wall. A document submitted by site as part of the Environmental Management System is titled 'Penrhyndeudraeth Site layout including drainage waste storage plan', dated 11 December 2018. This plan shows there should be two clearly distinguished waste piles towards the rear of the building. These piles are labelled '1Ai Reception, Holding and Sorting area for mixed waste, HCI or CDE waste' and '1Aii Reception / Holding area for mixed waste HCIU or CDE waste'. The table details storage form, containment, maximum

sizes of stock piles and storage times.
The maximum storage height for each pile is written as 3m. The current storage is exceeding this height. In addition to this, the separate waste piles have exceeded their bays and are merging into one continuous waste pile. There are no fire breaks to separate the wastes. If a fire were to break out within this waste, this could burn for a considerable amount of time. As there are no fire breaks, the site would struggle to contain a fire.
The document is also outdated. It shows there to be a picking line at the far end of the building. but this no longer exists.
Due to wastes not being stored in accordance with EMS documentation, **the permit has been scored a CCS C3 for this permit breach.** This is due to the current fire risk posed by the waste storage not being stored within the EMS limits and lack of fire breaks and separation.

ACTION: Reduce quantity of waste being stored within the transfer building, so that is it stored in accordance with site EMS.
Update Site layout plan and send to NRW.

Prior to leaving site, officers viewed a selection of Waste Transfer Notes. Some key information was missing from some of these WTNs such as tonnages and signatures of those accepting the waste. Please ensure all WTNs are filled out fully and accurately.

C1: Staff Competency / training

Permit Condition 1.1.1 (b) ***"by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities".***

A check of records we hold for the permit, have shown we do not hold any documents which evidence staff Technical Competency for the site.
ACTION: Please provide technical competency certificate for the Technically Competent Manager.

Officers left site at approximately 12:30. 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
Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer
Gogledd-Orllewin / North West
Ffôn/ Phone: 03000 655 023
E-bost/Email: Sarah.l.walton@cyfoethnaturiolcymru.gov.uk

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.