

Compliance Assessment Report CAR_NRW0043293

Permit being assessed: CB3398ZF.

For: Forward Waste Management East Moors Road Hazardous Waste Transfer Station,
held by: Forward Waste Management Ltd

At: 122-128 East Moors Road, Cardiff, CF24 5EE.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2023.

Parts of permit assessed: Waste Reporting, Annual Returns.

NRW Lead Officer: Dale Padfield.

Report sent to: Brett James, SHEQ Manager, on 01/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1C - Management - Energy Efficiency	Assessed (A)	
IR4B - Information - Reporting	Assessed (A)	
IR1D - Management - Efficient use of raw materials	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

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

Forward Waste Management Limited

EPR/CB3398ZF

This compliance assessment report (CAR) details:

- Waste returns reporting for Q3 2023 (July – September)
- Waste returns reporting for Q4 2023 (October to December)
- Summary of the 2023 annual report.

The Q3 returns were received on the 27/10/23, however the sheet was incomplete, and an amended submission was received on the 07/11/23. Review of the Q3 returns revealed several EWC codes within the waste removed from site were flagged as EWC codes not authorised within the permit, these wastes also did not appear within the reported waste received.

3 consignments of 20 03 01 totalling 3.31 tonnes

1 consignment of 20 01 30 – totalling 0.025 tonnes

1 consignment of 06 01 99 – totalling 0.025 tonnes

FWML confirmed that the 3 consignments of 20 03 01 were waste generated by the site, and not waste received. As mentioned within the email response, there is no requirement to report this waste on the waste returns.

The remaining two EWC codes were wastes that arose from decanting nominally empty containers that had been received as nominally empty packaging assigned EWC code 15 01 10. Further information was requested from FWML as the contents decanted from the packaging had been assigned a mirror non-hazardous EWC code (20 01 30) and an absolute non-hazardous EWC code (01 01 99). As the packaging has been described as containing residues of or being contaminated by a hazardous substance, it would be expected that any contents remaining and decanted from the container would also be assigned an EWC code reflecting the hazardous nature of the substance. If the packaging held non-hazardous substances, it would be expected that a different chapter 15 EWC code would have been assigned.

FWML stated that the wastes had arrived on as a pallet of mixed empty containers, most of which were hazardous. FWML made the decision to consign the whole pallet as 15 01 10*, as they deemed this the safest approach.

Although this approach may be deemed the safest, pre-acceptance procedures should provide an appropriate description of each waste, allowing the correct and most suitable EWC code to be applied. Every effort should be made to assign the correct EWC code to each waste.

A discrepancy with the mass of waste received and waste removed was identified. Since Forward waste became operational and began reporting in 2022, a total of 592.789 tonnes of waste has been reported as received. Over the same period, a total of 693.761 tonnes of waste has been reported as removed. FWML investigated the discrepancy and found that there had been several errors in all previous waste returns

submissions which had led to the over reporting of waste removed. FWML reported the errors as cases of incorrect numerical entries (0.1 entered instead of 1), weight estimations based on the wrong container size (25kg for a 205L, instead of 200KG) and one instance of duplicating an outbound load of 16 tonne. These errors also affected the reported waste received. Amended waste returns were received on the 28/12/23, updated tonnage figure (up to Q3) now indicates 662.81 tonnes received and 657.64 tonnes removed. The amended returns are accepted.

Besides the above mentioned EWC codes, all other accepted and removed waste for Q3 were complaint with the permit. The returns are accepted

The Q4 waste returns were received on the 15/01/2024. All accepted and removed wastes were complaint with the permit. The returns are accepted.

Annual returns

The annual returns were received on the 25/01/2024 and included water & energy usage and other performance indicators.

Water usage – A total of a 140 m³ of water was used on site, this equated to a specific usage of 0.184m³ per tonne of waste throughput. Total usage is comparable to previous years usage.

Energy usage – A total of 62.128 MWh of primary energy was used by the installation (25.887 MWh delivered electricity) which equated to a specific usage of 0.082 MWh per tonne of waste throughput. Specific usage has decreased when compared to 2022.

No raw materials reported to be used on site and a total of 779 tonnes of wastes has been processed through site during 2023.

The annual returns are accepted.

End.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.