

## Compliance Assessment Report CAR\_NRW0043455

**Permit being assessed:** NP3198VA.

For: Waste Transfer Station Tir Eryd Yard, held by Cynon Valley Waste Disposal Co Ltd  
At: Tir Eryd Yard, Merthyr Road, Llwydcoed, Aberdare, R C T, CF44 0BX.

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

On 01/06/2023 between 10:30 and 11:45.

Parts of permit assessed: All

**NRW Lead Officer:** Gareth Morris, accompanied by Amy Bailey.

**Report sent to:** Matthew Llewellyn & Lee Foulkes, Operations Managers on 14/02/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
B4 - Infrastructure - Containment of stored materials	C3 Minor	3.1.2
C3 - General Management - Materials acceptance	C3 Minor	2.3.2

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

Total number of non-compliances recorded	Total non-compliance score
3	12

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
C2	Please ensure that unpermitted wastes are not accepted onto site and that management system procedures are sufficient and are being complied with. The sites EMS may require updating.	14/03/2024
B4	Please ensure that only permitted waste types are accepted onto site. If you wish to include this waste code you will need to apply for a variation to your permit.	14/03/2024
C3	Please ensure that only permitted waste types are accepted onto site. If you wish to include this waste code you will need to apply for a variation to your permit.	14/03/2024

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

#### **Tir Ergyd Site Visit-Llwydcoed HWRC, Rhondda Cynon Taf (EPR/NP3198VA) - 01/06/2023**

Waste regulation officers Gareth Morris and Amy Bailey attended Amgen's facility at Llwydcoed, Rhondda Cynon Taf on 01/06/2023 for an unannounced visit. On site we were met by Matthew Llewellyn who kindly showed us a copy of the site permit and an up-to-date Environmental Management System (EMS) Mr Llewellyn then showed us around the permitted site.

#### **Breaches recorded**

#### **C2 – Management system. Category 3 breach.**

Permit condition 1.1.1 states that: ***The operator shall manage and operate the activities:***

- a. ***In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints; and***
- b. ***Using sufficient competent persons and resources.***

Whilst on site potentially hazardous chemicals and paints were being stored outside of their designated containers. The chemical storage container appeared to be too full and was left open with containers placed on the ground around it. Photographs can be seen below. Storage containers should be sufficient to hold the required volumes of waste and/or should be regularly emptied to allow for storage. This condition has been identified as the root cause of permit condition 3.1.2 detailed below. Action: Please ensure that these wastes are stored within secondary containment.

Dog faeces waste was being stored on site which is a breach of permit condition 2.2 below. Dog faeces is considered an offensive waste and the waste code it not included on the permit and this

waste type has therefore not been risk assessed. The root cause of this breach needs to be investigated by the site as to how unpermitted waste have been accepted.

Action: Please ensure that unpermitted wastes are not accepted onto site and that management system procedures are sufficient and are being complied with. The sites EMS may require updating.

**Photograph 1.1**



**Photograph 1.2**



**(B4) Containment of stored materials. Category 3 breach. Permit Condition 3.1.2 All Liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.**

Whilst on site potentially hazardous chemicals and paints were being stored outside of their designated containers. The chemical storage container appeared to be too full and was left open with containers placed on the ground around it. Chemicals and paints stored outside without secondary containment as bins were overflowing.

Action: Please ensure that all liquids whose emission to water or land could cause pollution are stored appropriately with secondary containment.

***C3 - material acceptance. Category 3 breach***

permit condition 2.3.2 states that waste shall only be accepted if it:

- (a) it is of a type and quantity listed in schedule 2 table S2.1; and
- (b) except for household waste accepted from householders, it conforms to the description in the documentation supplied by the producer and holder.

Whilst on site officers witnessed dog faeces being stored on site which is not a permitted waste

code. Dog faeces is considered an offensive waste and should be coded as 200199 in line with WM3 waste classification guidance. Please refer to: [Waste classification technical guidance WM3.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

**Action: Please ensure that only permitted waste types are accepted onto site. If you wish to include this waste code you will need to apply for a variation to your permit.**

**Areas assessed as compliant and other comments can be found below:**

### **B3) Site Drainage Engineering (Clean & Foul)**

While onsite the drainage within the permitted area was assessed; the site benefits from an impermeable, concrete surface to mitigate any spillage from entering ground water, all surface water on site flows in to an onsite sealed drainage system which has an interceptor. The interceptor is maintained annually, and documentation was provided which stated that the interceptor was last emptied on the 19<sup>th</sup> May 2023. The concrete surface is of very good quality and in good condition, there is no evidence of rutting or pooling of water.

### **(C4) Storage handling, labelling and Segregation**

The waste stored on site was stored and segregated in appropriate containers. All waste types were separated and had good, appropriate signage to aid members of the public, as to which container their waste should be placed in.

### **Photograph 1.3**



**Photograph 1.4**



**Photograph 1.5****Permit Condition 2.4 Hazardous Waste Storage and Treatment**

The storage of hazardous waste on site is stored correctly and in accordance with permit condition 2.4. Cement bonded asbestos that is accepted on site is securely stored within a locked container until it is collected for disposal.

**Photograph 1.6**

**Permit Condition 4.2.2 (Reporting)**

**Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.**

Quarter two of 2023 waste returns were submitted on time. Please continue to report quarterly waste returns to Natural Resources Wales. It should be noted that when waste(s) are not accepted or removed from the site during a reporting quarter, a null return will still need to be submitted.

**Permit Condition 1.1.4 (Management)**

**The operator shall comply with the requirements of an approved competence scheme.**

Cynon Valley Waste Disposal Co Ltd has an up to date WAMITAB certification that is held by the technically competent manager, Mr Lee Foulkes. Prior to the site inspection, certification demonstrating suitable technical competency were provided by Mr Matthew Llewelyn. Compliance

is therefore confirmed with permit condition 1.1.4 at this time.

**(D1) Site Security**

The site security for the site is very robust. The site is enclosed by an 8ft fence and is monitored by 24/7 CCTV. All visitors to site other than members of the public are required to sign in and out of site.

**(D2) Accidents, Emergency, and Incident Planning**

There are spill kits available at the facility in the event of any spillages. Protocol and planning for this is clearly stated in the operators Environment Management System (EMS). Officer Gareth Morris requested to see a copy of the operator's accident book, and this was provided.

**Summary**

Officers Gareth Morris and Amy Bailey thank Mathew Llewellyn for taking the time to show us around the site. If you have any queries relating to this form, please do not hesitate to contact myself on the details below.

Gareth Morris

07966730983

Gareth.morris@naturalresourceswales.gov.uk

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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](mailto: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](mailto: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.