

Compliance Assessment Report CAR_NRW0044000

Permit being assessed: AB3998CJ.

For: Worldcare Recycling, **held by:** Worldcare Recycling Limited

At: Plot 2, Tremarl Industrial Estate, Llandudno Junction, Conwy, LL31 9PN.

Type of assessment: Site Inspection,

Reason: Other.

On: 18/03/2024 between 14:00 and 16:00.

Parts of permit assessed: See below.

NRW Lead Officer: Sarah Walton, accompanied by Nia Brunning.

Report sent to: Lee Jones, Technically Competent Manager / Owner, on 12/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C2 Significant	1.1.1 The operator shall manage the activities (a) in accordance with a written management system, that identifies and minimises the risk 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
W4A - Waste - Information - Records	Action only (X)	
W4B - Waste - Information - Reporting	C4 No impact	4.2.2 '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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
		information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter'.

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

Total non-compliances recorded	Total non-compliance score
2	31.1

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
W1A	Provide NRW with reviewed EMS procedures for site. They must include procedures detailing how site is meeting WRAP Quality Protocol.	24/05/2024
W4A	Please provide evidence of how the site is meeting WRAP QP. This should include evidence of Factory Production Control, testing and delivery documentation. Please provide delivery documentation and evidence of testing for the last 6 months (1st October 2023 - 1st April 2024).	10/05/2024
W4B	Submit outstanding waste returns to NRW. This includes quarter 3 & 4 of 2019; 2,3 & 4 of 2020 and 1,2,3,4 of 2023. Please submit these documents by Friday 26th April 2024.	26/04/2024

Compliance 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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

A pre-arranged site inspection took place on 18/03/2024. This was following a request from the operator, to meet with their Environmental Consultant, to address compliance issues at site. The site was also due a routine inspection, so this took place at the same time.

Sarah Walton (Waste Regulation Officer) and Nia Brunning (Waste Regulation Team Leader), met on site with Lee Jones (Owner and TCM) and Clare Walters (Director at Ceri

Environmental Consulting Ltd).

The meeting began with a discussion in the office about compliance issues across both sites: Worldcare Recycling Limited (EPR/AB3998CJ) and World Care (wales) Ltd (EPR/UP3794FZ). One of the main concerns is that both permitted sites are operating as one site, rather than separate entities. It is important that each permit is operated separately. Waste transfer notes for incoming and outgoing waste, should specify which permit has authorised the transaction. Any waste moving between the two sites, should only be transferred if it is authorised on the receiving permit. Waste transfer notes should accompany all waste movements between the sites. Similarly, Waste Return documentation should be submitted separately for each site.

Lee Jones explained that new procedures were now in place for plasterboard management. Leaflets had been created for customers, to encourage separation of plasterboard at source. A large bag is now provided to customers, that they can place plasterboard in. This will be stored on site prior to being collected by a company that recycles this waste.

Lee Jones also explained how attempts had been made to recruit someone to focus on the paperwork side of the business, but they had been unsuccessful so far. Therefore, the EMS was still in need of review.

Following the discussion, a short walk was completed through the site. There continued to be large volumes of waste stored on site.





Photographs showing waste storage on site

There were two separate waste storage piles on site. The above photos show screened waste.



Photographs showing untreated and treated waste

W1A - General Management

Permit condition 1.1.1 "The operator shall manage the activities (a) in accordance with a written management system, that identifies and minimises the risk 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".

There was no separation between untreated and treated waste. Incoming waste streams are not separated according to end use. The stockpiles of waste are significant, suggesting waste is being stored for some time.

As noted on the previous inspection, there are no procedures in place to ensure that waste is treated in line with WRAP Quality Protocol (QP). A key condition of WRAP QP, is that there is certainty of use. The length of time and volume of waste stockpiled on site, would suggest there is not certainty of use.

Producers of WRAP QP aggregate, must set up and produce the aggregate under a system for Factory Production Control, as set out in the relevant BS EN aggregates standard listed in Appendix B of WRAP's 'Aggregate from inert waste' document.

See the following link:

https://assets.publishing.service.gov.uk/media/5a7c38bce5274a1f5cc769c8/LIT_8709_c60600.pdf

On the previous site inspection on 09/11/2023 (see CAR_NRW0042839), an action was placed on the operator to review the site EMS, to ensure procedures are adequate to maintain compliance with the site's permit conditions. This was due for completion by 10/01/2024. A number of months have since passed, but the site has not yet started to review this document.

The management permit condition and your written management system are key for assessing how effectively you are protecting the environment and help to improve how you manage the environmental risks from your activities.

The current site Environmental Management System is not sufficient and does not meet minimum requirements. This has been evidenced in previous inspections, which found duty of care issues with non-permitted waste types entering site.

For waste operations, your EMS must include:

- site specific processes, activities or operations
 - emissions and discharges
 - accidents, incidents and emergencies
 - site engineering and infrastructure
 - plant and machinery use and maintenance
 - a review of your activities against what your permit allows you to do
 - waste acceptance, quantities, treatment and storage procedures
 - storage of materials on site
 - drainage infrastructure
 - transportation and distribution
 - how any potential pollution from the above activities could impact on air, water, land and neighbours
 - procedures to enable you to apply the waste hierarchy of re-use, recover, recycle, dispose
 - your Duty of Care

Please see 'How to Comply with your Environmental Permit' for further guidance.

<https://naturalresources.wales/media/680335/how-to-comply-with-your-environmental-permit.pdf>

As stated in the previous inspection report, NRW is not satisfied that the site is meeting WRAP Quality Protocol, therefore it is NRW's view that all material on site is a waste and should be removed as a waste, not a product.

Because the site EMS has still not been reviewed in order to meet minimum standards, a further CCS2 score has been applied for this permit non-compliance. This is because there is potential of a significant impact/effect on the environment & people. There are no controls on the volumes of waste kept on site, which risks dust pollution from site and also staff health and safety due to the large stockpiles machinery is being operated on.

Waste Return documentation is outstanding for quarter 3 & 4 of 2019; 2,3 & 4 of 2020 and 1,2,3,4 of 2023. This means there is no transparency on the waste inputs and outputs of the site.

Waste is leaving site as a 'product' when it has not met WRAP Quality Protocol due to a lack of procedures. This material is a waste. By transferring this waste as a product, there are no controls deeming where this ends up. There could be duty of care offences through not informing your customers that this material is a waste.

Testing should be completed in line with the relevant standard and specification (see Table B2 of WRAP's QP document). Lack of testing, could mean contaminated waste is leaving site.

No further waste should leave site as a WRAP 'product', until NRW has received and is satisfied with EMS procedures for production of WRAP Quality Protocol aggregate.

ACTIONS:

- **Provide NRW with reviewed EMS procedures for site. They must include procedures detailing how site is meeting WRAP Quality Protocol.**
- **Please provide evidence of how the site is meeting WRAP QP. This should include evidence of Factory Production Control, testing and delivery documentation. Please provide delivery documentation and evidence of testing for the last 6 months (1st October 2023 - 1st April 2024).**

Enforcement action is being considered to bring site into compliance.

W4B - Reporting

Permit Condition 4.2.2: *'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.'*

A check of the permit file, found that there are still outstanding waste returns. This non-compliance was first noted on the site inspection on 06/09/2023 and again following the inspection on 09/11/2023.

On both CAR reports, there was an action to submit the outstanding waste returns to Natural Resources Wales.
The outstanding waste returns are quarter 3 & 4 of 2019; 2,3 & 4 of 2020 and 1,2,3,4 of 2023.

Therefore, a further CCS C4 score has been issued for this permit breach.

ACTION: Submit outstanding waste returns to NRW. This includes quarter 3 & 4 of 2019; 2,3 & 4 of 2020 and 1,2,3,4 of 2023. Please submit these documents by Friday 26th April 2024.

Officers returned to the site office prior to signing out at approximately 16:00.

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.I.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.

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 Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – 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.