

## Compliance Assessment Report CAR\_NRW0044060

**Permit being assessed:** EP3795FQ.

**For:** Penallta Civic Amenity Site, **held by:** Caerphilly County Borough Council

**At:** Penallta Civic Amenity Site, Penallta Industrial Estate, South Road, Hengoed, Caerphilly, CF82 7ST.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 25/03/2024 between 11:30 and 12:00.

**Parts of permit assessed:** Various.

**NRW Lead Officer:** Carla Curtis, accompanied by Rhiannon Munro, Cerys Phillips.

**Report sent to:** Scott Jones, Ricky Vaughan, Waste Treatment and Disposal Supervisor, Waste Management Officer, on 18/04/2024.

### 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	Assessed (A)	
W2A - Waste - Operations - Permitted activities	C3 Minor	4.2.2
W2E - Waste - Operations - Waste acceptance	Assessed (A)	
W2F - Waste - Operations - Technical requirements	Assessed (A)	
W3C - Waste - Emissions and monitoring - Odour	Assessed (A)	
W3D - Waste - Emissions and monitoring - Noise and vibration	Assessed (A)	
W4A - Waste - Information - Records	Assessed (A)	
W4B - Waste - Information - Reporting	Assessed (A)	
W4C - Waste - Information - Notification	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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
W2A	Please ensure that all paint pots are placed within a sealed container. As soon as the capacity of the container is reached, a new container should be provided.	Already completed

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.**

**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 report details the site visit made on the 25 March 2024 to Penallta HWRC (Household Waste Recycling Centre), Permit number EPR-EP3795FQ. Officers Carla CURTIS, Rhiannon Munro & Cerys Phillips attended site for an unannounced inspection at around 11:30. The weather conditions were cold, windy and it was raining.

### **GENERAL OBSERVATIONS**

The site was operational at the time of the visit and busy with vehicles entering and leaving the site. No waste of any type was visible outside of the permit boundary.

It was observed that some paint pots were being stored to the side of sealed containers as capacity had been reached. (See image 1)



Image 1 – showing paint pots stored outside sealed container

**Condition 4.2.2 of your environmental permit states;**

Each skip, drum or other mobile container used to hold wastes which consist of or contain potentially polluting liquids, sludges or powders, [or other potentially polluting materials which are to be used in combination with those wastes in the specified waste management operations] shall be:

- a** loaded and unloaded in accordance with the handling procedures specified in Table 4.2;
- b** filled and emptied in accordance with the filling and emptying procedures specified in Table 4.2;

**Section b, iii) of table 4.2 states;**

**Containers should not be filled beyond their operational capacity.**

**This has been scored a Category 3 breach under W2A – Permitted activities**

**Action:** Please ensure that all paint pots are placed within a sealed container. As soon as the

capacity of the container is reached, a new container should be provided.

### **WASTE ACTIVITIES**

All waste storage containers were clearly marked, and signage was in place to inform members of the public what each bin contained.

Overall, housekeeping on site was of a good standard. The interceptor drainage system was fully operational at the time of the inspection, with no issues visible. General infrastructure on site was appeared in good order with no cause for concern. (see image 2)



**Image 2 – showing infrastructure.**

### **SITE SECURITY**

The site has recently benefited from funding used to improve site infrastructure. This has included a new welfare cabin, secure storage containers, updated CCTV and Fencing enhancements.

### **TECHNICAL COMPETENCY**

The current TCM for the site is Scott Jones. The WAMITAB certificate expires February 2026.

### **WASTE RETURN SUBMISSIONS**

Waste returns for the site appear to be up to date and correct. The total quantity of waste accepted at this site must not exceed 25,000 tonnes per year. Based on the submitted waste return

data for 2023, the total waste accepted was 3,355.83 tonnes which is within the site's annual threshold.

If you have any queries regarding this Compliance Assessment Report, please contact regulatory officer Carla CURTIS via email at [Carla.curtis@naturalresourceswales.gov.uk](mailto:Carla.curtis@naturalresourceswales.gov.uk)

***In this document 'Natural Resources Wales' means the Natural Resource 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](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.