

Compliance Assessment Report CAR_NRW0044150

Permit being assessed: ZP3695VH.

For: Refail Newydd, **held by:** Humphreys Waste Recycling Ltd

At: Caergeiliog, Holyhead, Gwynedd, LL65 3DX.

Type of assessment: Site Inspection,

Reason: Incident Response (Incident number 2401970).

On: 23/04/2024 between 13:30 and 14:15.

Parts of permit assessed: See below.

NRW Lead Officer: Sarah Walton, accompanied by Leon Williams.

Report sent to: Cai Humphreys, Operations Manager , on 08/05/2024.

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	Action only (X)	
W4A - Waste - Information - Records	Action only (X)	

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?

Criteria	Action needed	Complete by
W1A	Please provide up to date copies of site's EMS and FPMP.	24/05/2024
W4A	Please provide evidence of latest testing completed on <10ml waste.	24/05/2024

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.

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 site inspection took place on Tuesday 23rd April. Sarah Walton (Waste Regulation Officer) and Leon Williams (Senior Waste Regulation Officer), met on site with Cai Humphreys (Operations Manager).

The inspection took place due to an incident report received by Natural Resources Wales, regarding waste duty of care.

As a result, an Environmental Permitting Regulations 2016 Regulation 61 Notice requiring information, was hand delivered to Cai Humphreys.

The requirements of the notice were explained to Cai.

An inspection of the yard and building then took place.



Photograph showing new roof in yard area

A new roof has now been constructed to the side of the building. The ground was in the process of being resurfaced. No waste was being stored in this area whilst the works were taking place.

The waste storage and treatment area within the building was then inspected.

Skip waste is deposited on the right hand side. This waste goes through treatment on site to remove recyclables such as plastic and metal.



Photographs showing storage of glass and mixed metal

Residual waste is shredded, which is removed from site for use as RDF.





Photographs showing shredded waste

At the time of inspection, construction/demolition waste had been segregated from incoming skips. This waste had then been treated according to size. The storage bays under the treatment machinery, contained material Cai described as 'less than 10 ml', '65ml' and 'oversize'.



Photograph showing <10ml waste

As the input of this waste is mixed skip waste, it is not a suitable input for WRAP Quality

Protocol aggregate, meaning the <10ml material must be treated as a waste. Cai explained that the <10ml material had been tested and that they were awaiting results prior to determining the outlet and end use. Officers advised that this waste is likely a 19-12-11* (other wastes (including mixtures of materials) from mechanical treatment of waste containing hazardous substances) or 19-12-12 (other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11), depending on what the testing analysis shows.

ACTION: Please provide NRW with copies of latest testing results for <10ml waste.

W1A General Management

Permit Condition 1.1.1 "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;"

Please provide an up to date copy of the site's Environmental Management System (EMS).

Permit Condition 3.4.1 "The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance".

Please provide an up to date copy of the site's Fire Prevention Mitigation Plan (FPMP).

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**

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.