

Compliance Assessment Report CAR_NRW0044189

Permit being assessed: AB3493CS.

For: Unit 1- Crugmore Farm, **held by:** M D Recycling Limited

At: Crugmore Farm, Penparc, Cardigan, Ceredigion, SA43 1RD.

Type of assessment: Site Inspection,

Reason: Routine.

On: 01/05/2024 between 14:05 and 14:45.

Parts of permit assessed: All.

NRW Lead Officer: Malcolm Dines.

Report sent to: Marc Davies, TCM, on 04/06/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2A - Waste - Operations - Permitted activities	C3 Minor	2.1.1
W1A - Waste - Management - General management	Action only (X)	

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	Do not treat wood waste from the Waste Transfer Station unless the permit is varied to include the treatment of wood as a permitted activity	04/06/2024
W1A	Submit the version of your Environmental Management System that was in use at the time of this compliance visit.	21/06/2024

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.

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 was a pre-arranged site visit carried out by Malcolm Dines who met with Marc Davies, the Technically Competent Manager of the site owner, who accompanied myself for the duration of the visit. The purpose of the visit was to review progress with the compliance actions specified on the Compliance Report (CAR_NRW0042585) dated 27/11/2023 relating to the compliance visit carried out on 21/06/2023 regarding the storage of wastes on-site and the wood waste activity being carried out at the site. The weather was dry and bright with light clouds, but there had been a lot of rain in the area over recent weeks.

Permit Breaches

W2A - Permitted Activities - Cat 3; Permit Condition 2.1.1

You have been given this category 3 breach under the above condition as you have been shredding (treating) waste wood and your permit does not authorise this activity and so your permit does not have appropriately assessed controls. There have been no reports of dust complaints and there is no evidence that the shredding of wood has resulted in significant dust production therefore it is reasonably foreseeable that this breach of permit will only result in a minor pollution of the environment.

Although you have notified a T6 exemption to undertake the shredding or chipping of wood at the site, this exemption only allows the treatment of untreated wood and at the time of this site inspection it was clear from the stockpile of shredded wood that treated woods such as MDF, plywood and other treated woods had been treated at the site. You admitted that the wood waste from this site is shredded to reduce volume for transport.

Compliance Report (CAR_NRW0042585) included an action that you had to ensure that you were compliant with the Environmental Permitting Regulations with regards the wood waste activity at the site. Although you subsequently notified a T6 exemption (although at the wrong postcode) you have failed to comply with the exemption criteria by shredding treated wood. In order to carry out this activity you will need to vary your permit. If further breaches of the exemption criteria are identified we may consider de-registering the exemption.

Action: Stop the treatment of treated wood waste at the site. **effective immediately**

W1A - General Management - Action Only; Permit Condition 1.1.1(a)

Your permit does not authorise the treatment of waste wood and your Environmental Management System must set out clearly what activities you are authorised to carry out, if it doesn't then this may be the root cause of the breach of permit condition 2.1.1. You must submit the version of your Environmental Management System that was in use at the time of this compliance visit, this will be reviewed in a subsequent Compliance Report

Action: Submit the version of your Environmental Management System that was in use at the time of this compliance visit **by 21 June 2024**

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.