

## Compliance Assessment Report CAR\_NRW0044495

**Permit being assessed:** UP3794FZ.

**For:** Worldcare Wales Ltd, **held by:** World Care (wales) Ltd

**At:** Worldcare Wales Ltd, Llandudno Junction, Conwy, LL31 9PN.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 03/06/2024 between 10:45 and 12:45.

**Parts of permit assessed:** See below.

**NRW Lead Officer:** Sarah Walton, accompanied by Joe Weatherley.

**Report sent to:** Lee Jones, Owner/Technically Competent Manager, on 14/06/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W2E - Waste - Operations - Waste acceptance	C3 Minor	1.1.4
W2D - Waste - Operations - The site	C3 Minor	4.6.1
W2D - Waste - Operations - The site	C3 Minor	2.1.2
W2E - Waste - Operations - Waste acceptance	C3 Minor	1.2.1
W3A - Waste - Emissions and monitoring - Emissions to water, air or land	C3 Minor	5.1.2
W2D - Waste - Operations - The site	C4 No impact	3.1

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

Total non-compliances recorded	Total non-compliance score
6	20.1

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
W2E	Reduce volume of waste on site, so that waste is stored within skips and bays only. Ensure appropriate working levels	28/06/2024

Criteria	Action needed	Complete by
	to prevent any further permit breaches.	
W2D	Ensure waste on site is stored in accordance with standards specified in table 4.6 of the site permit. For example, combustible and dust generating wastes should be stored on impermeable ground.	16/08/2024
W2D	Ensure that site containment and drainage systems are designed, constructed, inspected, validated and maintained, and are fully documented and recorded, to be fit for purpose, and, where provided, to meet the standards specified in Table 2.1	12/08/2024
W2E	The site should stop accepting 16-02-11*(discarded commercial equipment containing chlorofluorocarbons, HCFC, HFC) and 17-08-02 (gypsum-based construction materials other than those mentioned in 17 08 01) as they as this not authorised by the permit. Provide duty of care documentation, evidencing the removal of waste fridges, air conditioning units and Plasterboard from site.	28/06/2024
W3A	Use alternative mitigation measures to ensure that dust does not cause pollution on or off site.	21/06/2024
W2D	Update the site identification board so that it has up to date information in line with permit requirements.	16/08/2024

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

An unannounced routine site inspection took place on Monday 3rd June 2024. NRW Officers Sarah Walton and Joe Weatherly met on site with Lee Jones (Owner/TCM).

**Permit Condition 1.1.4 "No waste management operations shall be authorised by this licence unless: a) Specified in and undertaken in accordance with the limitations in the following table: Maximum storage capacity of the site shall not exceed that which can be contained within skips and bays, constructed in accordance with**

**conditions in section 2.1".**

Waste was exceeding capacity of skips and bays across the site. See photographs below.





### Photographs showing waste storage

Skip waste was stacked high on both sides of the site. The bays were no longer visible due to the volume of waste being stored. Skips were in a state of disrepair, no longer able to contain the waste, which was spilling out.

The nature and volume of waste on site is posing a fire risk. Should this waste catch fire, it could burn for a considerable amount of time and cause pollution to both air and land.

There is no clear separation between waste streams, which means a fire could easily spread on site.

The permit has been scored a C3 for this non-compliance.

**ACTION:** Reduce volume of waste on site, so that waste is stored within skips and bays only. Ensure appropriate working levels to prevent any further permit breaches.

**Permit Condition 4.6.1** *"Notwithstanding the specification of permitted waste types under condition 1.2, wastes displaying any of the hazardous properties or forms specified in Table 4.6, shall only be stored on the site in accordance with the standards specified in Table 4.6.*

*a) Solid wastes which when handled or stored are likely to generate significant quantities of dusts, fibres or particulates. These wastes are only permitted if handled and stored either in: i) buildings or containers providing containment of aerial emissions of dusts and particulates; or ii) bays or roofed areas provided with a permanent water supply and water spraying or misting equipment, and with an impermeable pavement and a sealed drainage system; and the water spraying or misting equipment is used at all times when significant quantities of dusts, fibres or particulates will be generated.*

*e) Combustible wastes: These wastes only permitted if stored in bays provided with an impermeable pavement and sealed drainage, and with access to fire fighting equipment".*



**Photograph showing storage of combustible wastes on permeable ground**

There were multiple areas across the site, where combustible waste was stored on permeable ground (See photograph above as an example).

During the inspection, significant amounts of dust were observed coming off the waste on site as it was being moved (see photo below).



**Photograph showing un made ground and dust generated from waste on site**

Because combustible and dust generating wastes are being stored on permeable ground, **the permit has been scored a CCS C3 for this permit breach.** There is a risk to the environment because any potentially polluting run off or leachate from the waste, could absorb into the ground. In addition to this, if there were a fire, any contaminated fire run off would likely soak away to ground, rather than being captured by onsite drainage.

**ACTION: Ensure waste on site is stored in accordance with standards specified in table 4.6 of the site permit. For example, combustible and dust generating wastes should be stored on impermeable ground.**

**Permit Condition 2.1.2 "The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose, and, where provided, to meet the standards specified in Table 2.1 below.**

On the previous CAR report, actions were placed on the operator to communicate results of the drainage dye test with the site's regulating officer and to provide evidence to show that drainage is in full working order and that the site interceptor is regularly maintained. No response was received from the operator in relation to this action. On site, Lee explained the dye test had highlighted an issue with one of the drains.



**Photographs showing permeable ground on site**

As can be seen from the photograph above, there is standing water in some areas with no drain nearby and liquid on site is absorbing to ground, rather than being captured by site drainage.

Given that the operator has failed to respond to the previous CAR action and no evidence is forthcoming to show drainage is fit for purpose as per condition 2.1.2, a **CCS3 has been assigned for this non-compliance.**

**ACTION: Ensure that site containment and drainage systems are designed, constructed, inspected, validated and maintained, and are fully documented and recorded, to be fit for purpose, and, where provided, to meet the standards specified in Table 2.1**

NRW is considering an enforcement notice to require this action to be completed.

**Permit Condition 1.2.1 "No wastes other than those, which are categorised below in Table 1.2A and specified in detail in Appendix A to these conditions shall be accepted at the site".**

Upon entry to the site, there were a number of fridge/freezers being stored.

The site is permitted to accept Fridges under waste code 20 01 23\* described as 'discarded equipment containing chlorofluorocarbons'.

**Photograph showing storage of fridge/freezers**

There were around 6 fridge/freezers in total. Lee stated the waste had come from the fly tip at the end of Ffordd Maelgwn, just outside the permitted site. The fly tipped fridge/freezers at the end of Ffordd Maelgwn were observed by NRW on 06/09/2023 and were removed by the next site inspection in October 2023. At no point have officers observed any fridges or freezers on site between October 2023 and this inspection on 3rd June.

If these fridges had been stored on site for 8 months, it is queried where this waste was kept.

There were no Duty of Care records available to accompany these fridges/freezers.



**Photograph showing storage of waste air conditioning units**

The above air conditioning units were accepted to site from a commercial business. The LoW code for this waste was queried. Lee stated the equipment had been depolluted by the producer. No evidence was held on site to show this. The waste transfer note for this waste was poorly filled out. The waste had no LoW code assigned and was described as 'Mixed scrap metal'. No consignment notes were created for this waste movement.

Such waste should be classified as 20-01-23\* (Household discarded equipment containing

chlorofluorocarbons) or 16-02-11\*(discarded commercial equipment containing chlorofluorocarbons, HCFC, HFC).

Commercial air conditioning units (16-02-11\*), is not a listed waste type in Table 1.2A of the site permit. **This is therefore a breach of permit condition 1.2.1 and has been assigned a C3 score.**

It was explained on site that these wastes are accepted under a mixed load. Waste fridges and air conditioning units are discrete pieces of waste that can be distinguished within a mixed load of metal waste. Where wastes are co-collected, guidance is available within example 1 of the WM3 guidance (page 74/A40). "Where possible co-collected wastes must be separated where technically and economically feasible and separately coded."

It should be further noted that these waste types are also considered as Waste Electrical and Electronic Equipment (WEEE). Any WEEE stored (including temporary storage) at a permitted waste facility must be stored in accordance with the technical requirements of Annex VIII of the WEEE Directive:

- Impermeable surfaces for the appropriate areas with provision of spillage collection facilities and, where appropriate, decanters, and cleanser-degreasers,
- Weatherproof covering for appropriate areas

The WEEE that officers inspected during the visit did not benefit any form of weatherproof covering and some hazardous waste was being stored on permeable ground. As a result this is also an offence under the Waste Electric and Electronic Equipment (WEEE) Regulations 2013.

A skip of plasterboard was also observed on site. See photo below.



**Photograph showing skip containing plasterboard wastes**

The site permit lists authorised waste types in Appendix A. Plasterboard (17-08-02 gypsum-based construction materials other than those mentioned in 17 08 01), is not stipulated in Appendix A and therefore not permitted on site.

Both non compliant waste types have been amalgamated into one CCS C3 score against permit condition 1.2.1.

**ACTION:** The site should stop accepting 16-02-11\*(discarded commercial equipment containing chlorofluorocarbons, HCFC, HFC) and 17-08-02 (gypsum-based construction materials other than those mentioned in 17 08 01) as they not authorised by the permit. Provide duty of care documentation, evidencing the removal of waste fridges, air conditioning units and Plasterboard from site.

**Permit Condition 5.1.2** *"All emissions to air from the specified waste management operations on the site shall be free from visible concentrations of dusts, fibres or particulates as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Agency".*





**Photographs showing dust on site and dust emissions leaving site**

Officers witnessed dust leaving site as they were inspecting the yard area. As waste was being disturbed and vehicles were moving, dust was being created which was blowing off site.

It is important that the site is dampened down to prevent any dust emissions. Lee mentioned that the machinery used to deploy the bowser, was out of operation. An alternative measure should be found in the meantime to dampen down the site.

**The permit has been scored a CCS C3 for this permit breach.**

**ACTION: Use alternative mitigation measures to ensure that dust does not cause pollution on or off site.**

### **3.1. Provision of site identification board**

**Permit Condition 3.1.3 "The board shall be easily readable from outside the site entrance in daylight hours, and shall display the following information".**

- a** Site name and address;
- b** Licence Holder name (company name, not individual name unless justified as necessary);
- c** Operator name (company name, not individual name unless justified as necessary);
- d** Licence number;
- e** Emergency contact name and telephone number (for security reasons, personal names and home phone numbers should not be used except where no alternative is practicable);
- f** Statement that the site is licensed by the Environment Agency;
- g** Agency national numbers: 0845 933 3111 and 0800 807060;
- h** Days and hours site is open to receive waste.

The current site identification board is outdated and not fit for purpose.



**Photograph showing site identification board at site entrance**

As can be seen from the photo above, the information listed on the site identification board is out of date and incorrect. For example the permit reference is no longer correct and the name of the regulator is outdated.

**Due to this, the permit has been scored a CCS C4 for this breach.**

**ACTION: Update the site identification board so that it has up to date information in line with permit requirements.**

On the previous CAR form, actions were placed on the operator to submit updated and reviewed Environmental Management System (EMS) and Fire Prevention Mitigation Plan (FPMP). An extension to the deadline was granted by NRW, with a new submission date of 14.6.2024 being agreed. This outstanding action has therefore not been scored on this occasion.

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](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.