

Compliance Assessment Report CAR_NRW0044570

Permit being assessed: BB3196CL.

For: Newtown Household Waste Recycling Centre, **held by:** Sundorne Products (Llanidloe) Limited

At: Unit 4, Duffryn Industrial Estate, Newtown, Powys, SY16 3AJ.

Type of assessment: Site Inspection,

Reason: Routine.

On: 04/06/2024 between 12:20 and 12:50.

Parts of permit assessed: See criteria listed below.

NRW Lead Officer: Luke Taylor.

Report sent to: Kevin Pryce, TCM, on 27/06/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W3B - Waste - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.1.3
W1A - Waste - Management - General management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
2	8

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
W3B	Provide appropriate secondary containment for paint being deposited, that will contain any spillage	31/07/2024
W1A	Ensure that paint is transported with adequate secondary containment between sites and review/update the management system to reflect this. Deadline 31/07/2024	31/07/2024

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

This report is being produced following an unannounced compliance inspection, conducted on Tuesday 4th June 2024, which was carried out by Luke Taylor (Waste Regulation Officer) with Natural Resources Wales.

At the time of the inspection the weather was dry and overcast.

The site was very busy on the day but was being managed well, with staff on hand to assist householders as required. It was clean and tidy, with no evidence of litter or debris anywhere.

The following non-compliance were identified:

W3B - Emissions of substances not controlled by emission limits - Category 3 - Permit Condition 3.1.3

Currently, polypropylene builders tonne bags are positioned in the rear of a roll on/roll off skip and waste paint is being deposited within it by householders. These are not leak proof and do not provide adequate secondary containment for any paint deposited. There was evidence of dried spilled paint within the skip and that paint had escaped from the skip at some stage, having run down beneath the rear door.

Condition 3.1.3 of your permit states that all liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment. A polypropylene builders bag does not achieve this as it is not leak proof.

ACTION - Provide appropriate secondary containment for paint being deposited, that will contain any spillage. Deadline - 31/07/2024



(Paint spilled within and on outer frame of skip)



(Paint within builders tonne bag)

W1A General Management - Category 3 - Permit Condition 1.1.1

Condition 1.1.1 of the permit states that 'The operator shall manage and operate the activities in accordance with a written management system which identifies and minimises the risks of pollution arising from the waste operation' It must also meet the requirements of other regulations that relate to environmental protection, including regimes such as Duty of Care.

The waste paint is periodically transported to Potters main site in Welshpool for onward disposal in the polypropylene builders tonne bags, which are placed in the rear of a roll on/off skip with waste household furniture. This results in the paint having no secondary containment when being moved between sites, as builders tonne bags are not adequate for

this purpose. When transporting the paint it must still have secondary containment to capture any spillage. The door of a roll on/off skip does not achieve this either, and any spillage in transit would likely leak out onto the carriageway behind the vehicle. In addition, any paint spilled within the skip will contaminate the other wastes within it. As stated above, there was clear evidence within and on the skip that spillage had occurred at some stage.

Under the duty of care code of practice you must prevent waste from escaping from your control, or from your employees' or waste contractors' control, you must also make sure it is handled and stored safely and securely. This includes by using containers that are:

- Clearly and correctly labelled,
- Suitable for the storage, transport and subsequent management activities by you and the following waste holder,
- Designed to prevent leakage, contamination or spoiling of waste (spoiled waste is waste that cannot be managed in the way intended),
- Ensuring vehicles are covered and waste is secured appropriately for transport purposes.

The management system contains several Standard Operating Procedures (SOP's), one of which is SOP-2 Waste Dispatch. This states that segregated waste streams for recycling or recovery must not contain impurities or contamination with other materials that makes it unsuitable for the processing site receiving it. By transporting paint in tonne bags with the household furniture there is also a risk of contamination occurring.

ACTION - Please ensure that paint is transported with adequate secondary containment between sites and review/update the management system to reflect this. Deadline 31/07/2024

If you wish to discuss this CAR, or have any queries in relation to its contents, please email: luke.taylor@cyfoethnaturiolcymru.gov.uk

Regards,

Luke Taylor

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.