

Compliance Assessment Report CAR_NRW0044942

Permit being assessed: MB3397TZ.

For: Mochdre Civic Amenity Site, **held by:** Bryson Recycling Ltd

At: Civic Amenity Site, Bron -y- Nant Road, Mochdre, Colwyn Bay, Conwy, LL28 4YL.

Type of assessment: Site Inspection,

Reason: Routine.

On: 15/05/2024 between 10:42 and 11:30.

Parts of permit assessed: See below.

NRW Lead Officer: Sorcha Barry, accompanied by Leon Williams.

Report sent to: Gareth Walsh, General manager, on 16/08/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4C - Waste - Information - Notification	C4 No impact	4.3.1(c)
W4B - Waste - Information - Reporting	C4 No impact	4.2.4
W1A - Waste - Management - General management	C3 Minor	1.1.1(a)
W2A - Waste - Operations - Permitted activities	Assessed (A)	
W3C - Waste - Emissions and monitoring - Odour	Assessed (A)	
W3F - Waste - Emissions and monitoring - Pests	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
3	4.2

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
W4C	Ensure NRW are notified of any future fires at Mochdre CA	Already

Criteria	Action needed	Complete by
	site without delay.	completed
W4B	Correct any previous waste return submissions by re-submitting the correct waste returns with all EWC codes included. In future, ensure all EWC codes used to describe waste types accepted and removed from the site are included on waste returns submitted to NRW for each quarter.	31/10/2024
W1A	Update management system/working plan for Mochdre CA site to include guidance regarding what must be included on waste returns submitted to NRW each quarter.	31/10/2024

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

Site

Mochdre Household Recycling Centre - Bryson Recycling Limited

Bron-y-Nant Road, Mochdre, Colwyn Bay, LL28 4YL

Permit number – **MB3397TZ**

Type of Inspection

Unannounced site inspection to investigate a report from the fire service of a fire which occurred on the site on the 08/05/2024.

Present

NRW Waste Regulation Higher Education Placement Sorcha Barry and NRW Senior Waste Regulation Officer Leon Williams.

Officers were accompanied by Bryson Recycling general manager for Wales Gareth Walsh.

Description of Inspection

Site inspection conducted on the 15th of May 2024 at 10:42am

Weather conditions throughout the visit was dry and mild.

Upon arrival to site, the site entrance was tidy and clear of debris. There was clear signage with the permit/permit number present on one of the entrance gates.

Different points relating to the permit were assessed.

Permit condition 4.3 Notifications - W4C

Gareth Walsh explained the origins of the fire, which occurred on the 08/05/2024.

The fire started in a scrap metal skip due to a butane bottle being crushed at the bottom of the skip. The fire was dealt with by the fire service on an impermeable surface with a sealed drainage system – no fire water escaped.

The site Emergency Management Plan and site Working Plan were sent to NRW upon request.

The site did not notify NRW of the fire which is a non-compliance against permit condition 4.3.1(c).

With reference to permit condition 4.3.1(c) of environmental permit MB3397TZ which states:

“Agency shall be notified without delay following any significant adverse environmental and health effects”.

A CCS Category 4 score has been recorded for this non-compliance against condition 4.3.1(c).

Action: Ensure NRW are notified of any future fires at Mochdre CA site without delay.

Permit condition 4.2.4 – Waste Returns – W4B

Consignment notes for the removal of all WEEE were requested for Q3 2023 on the 28th of May 2024. These were received on the 17th of June 2024 from Gareth Walsh.

NRW Hazardous Waste Regulation Officer Daniel Grant conducted a Hazardous waste audit – HWARNW04 which was sent to Gareth Walsh on the 9th of August 2024. The Hazardous waste audit identified the use of European Waste Catalogue (EWC) codes 200123* and 200135* to describe hazardous waste leaving the site.

Waste returns submitted for Quarter 3 (Q3), 2023 were compared to consignment notes received from Q3, 2023, and it was identified that EWC codes 200123* and 200135* were missing from the Q3 waste returns but present on consignment notes dated within July-September 2023 (Q3, 2023).

With reference to permit condition 4.2.4 of environmental permit MB3397TZ which states:

“A summary report of the waste types and quantities accepted and removed from the site shall be made for each quarter. It shall be submitted to the Agency within one month of the end of the quarter, and shall be in the format required by the Agency.”

A CCS Category 4 score has been recorded for this non-compliance against permit condition 4.2.4.

Action: Correct any previous waste return submissions by re-submitting the correct waste returns with all EWC codes included by the 31 October 2024. In future, ensure all EWC codes used to describe waste types

accepted and removed from the site are included on waste returns submitted to NRW for each quarter.

Permit condition 1.1.1(a) – activities shall be managed and operated in accordance with a management system – W1A

The working plan (Working Plan Mochdre v06 June 17) was sent to NRW by Gareth Walsh on the 15th May 2024. It was identified that the site's working plan did not make reference to the necessity to create and submit quarterly waste returns to NRW. Bryson Recycling Limited are required to submit waste returns as a condition of their environmental permit MB3397TZ. Waste returns submitted to NRW must be a summary report of all waste types and quantities accepted and removed from the site in each relevant quarter as stated in permit condition 4.2.4.

With reference to permit condition 1.1.1(a) of environmental permit MB3397TZ which states:

“The activities shall be managed and operated: in accordance with a management system, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of complaints;”

A CCS Category 3 score has been recorded for this non-compliance against permit condition 1.1.1(a)

Action: Update management system/working plan for Mochdre CA site to include guidance regarding what must be included on waste returns submitted to NRW each quarter by the 31 October 2024.

Permit condition 2.2.1(a) - storage of waste – W2A

The site has submitted all their waste returns for 2023. Waste accepted annually was less than 25,000 tonnes.

Waste was segregated appropriately and stored on an impermeable surface with sealed drainage. Drains were clear – no evidence of any blockages.

Hazardous wastes were segregated and stored appropriately in sealed containers.

Storage of mixed WEEE – Most WEEE waste was stored in an uncovered skip, however TVs and monitors were stored in storage containers which were weatherproof. Fridges and freezers were stored in a secure uncovered cage on site.

Permit (MB3397TZ) held at site was granted pre the WEEE Directive implementation and does not include a condition which references the requirement to comply with the WEEE Directive. As a result, the storage of WEEE under weatherproof covering is not a requirement in line with the permit in this instance.

Other permits held by Bryson Recycling Limited may have separate conditions that require WEEE or hazardous waste to be stored under weatherproof covering.

The Producer Compliance Scheme/Distributor takeback scheme should also be considered. Conwy are [listed as providing designated collection facilities](#) via a number of Producer Compliance Schemes (Depending on the type of WEEE) and of course, any contractual agreements required in line with this would have to be met. It is good environmental practice to store such waste under cover in order to ensure the recyclability of the waste and reduce pollution risk at your sites.

For information, the present WEEE Regulations are in the process of being reviewed, with the Government's response to the consultation expected this year. A key driver for this reform is to increase the re-use,

collection, and recycling of electrical items (EEE) so we may possibly see some change later in the year. If applying for a new permit for the site, the requirements of the WEEE Regulations would form part of the new permit.

S2 Waste Exemption

You hold an S1 and S2 waste exemption (NRW-WME081910) for Storage of Waste in a Secure Container and Storage of Waste in a Secure Place, alongside your environmental permit.

Following a [consultation published by DEFRA and the Welsh Government](#) in 2018, there will be changes made to exemptions listed in the Environmental Permitting (England and Wales) Regulations 2016.

Section 2.1 of the [consultation](#) states the proposal for amending the EPR so that an exempt waste operation could no longer be carried on or adjacent to permitted waste operations. When these changes to the EPR are made, you will no longer be able to hold an S1 or S2 waste exemptions alongside your environmental permit at Mochdre Household Recycling Centre.

Permit condition 1.1.1(b) – competent person – W1A

Technically competent manager is John Franks who is on site most days. COTC certificate from 2021 and continued competence from 2023 were sent by email at the end of the visit.

Permit condition 3.4.1 – emissions from site – W3C

Site was free of odour.

Permit condition 3.6.1 – pests – W3F

No pests were observed during the visit.

Permit condition 1.3.1 – site security should prevent unauthorised access to site – W1A

Site security was good with well-maintained fence and lockable gate.

Thank you for assisting us during our visit.

Sorcha Barry

Lleoliad Addysg Uwch Rheoleiddio Gwastraff / Waste Regulation Higher Education Placement

Tîm Lleoliadau Rheoleiddio Gwastraff / Waste Regulation Placements Team

Cyfeiriad / Address: Maes y Ffynnon, Penrhosgarnedd, Bangor, Gwynedd, LL57 2DW

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.