

## Compliance Assessment Report CAR\_NRW0045331

**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:** Report/Data Review,

**Reason:** Routine.

**On:** 05/11/2024.

**Parts of permit assessed:** Reporting to NRW.

**NRW Lead Officer:** Sarah Walton.

**Report sent to:** Lee Jones, TCM/Director, on 05/11/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4B - Waste - Information - Reporting	C2 Significant	6.2.2

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

Total non-compliances recorded	Total non-compliance score
1	31

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
W4B	Submit waste returns for Q2 2023, Q1, Q2 and Q3 of 2024	22/11/2024

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.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

## 4. Details of our assessment

### Waste Return Audit

A review of the waste returns of Q1, Q2 and Q3 (2024) was conducted for permit EPR-UP3794FZ.

**Condition 6.2.2 of the site's permit states 'a summary record, including nil returns, of the waste types accepted shall be made for each quarter and shall be submitted to the Agency within 1 month following the end of each quarter. The summary record shall be in the format specified in Appendix B, and shall include the specified information'.**

No waste returns have been submitted by the operator for Q1, Q2 and Q3 of 2024. The waste return for quarter 2 of 2023 is also outstanding. As these waste returns have not been submitted, NRW has been unable to assess the waste types & quantities that have been accepted and removed from World Care (Wales) Ltd.

Condition 1.2.2 states 'The total quantity of waste accepted at the site per year shall not exceed 4,999 tonnes'. It is important that the site tracks incoming waste on the waste returns, to ensure compliance with this permit condition. As waste returns have not been submitted, there are concerns that the site may not be keeping track of the volume of incoming/outgoing waste. The site has a history of breaching permit limits for waste storage, which again suggests the operator is not tracking incoming / outgoing waste.

A site inspection on 09/11/2023 found that the site had not submitted waste returns for Quarter 2 or Quarter 3 of 2023. Therefore, this is not the first instance that the operator has failed to submit waste returns as required by the permit. It is concerning that the operator continues to fail to submit waste return documentation, despite reminders and previous scores.

The site has a poor history of compliance with various scores ranging from C4 to C2 across different compliance criteria. It was noted on a previous CAR form, that waste return documentation contradicted waste transfer notes submitted as part of an enforcement notice (see CAR\_NRW0043889). The fact the operator has not submitted any waste returns as yet for 2024, raises serious concerns about the competence of the operator, as this is a basic requirement of the permit. Tracking of waste in and out of site is a fundamental aspect of the operator's Duty of Care. There is a lack of transparency regarding the wastes going in and out of site. This is particularly worrying given the site accepts hazardous waste.

Non-permitted wastes have previously been identified on site (such as plasterboard and commercial air conditioning units). It is evident the site has poor waste acceptance procedures which results in non-permitted wastes entering site. The site does not have thorough procedures for dealing with non-permitted wastes. For example, there is no identifiable quarantine area on site. Non-permitted wastes have previously been mixed in with other wastes and also stored on permeable ground. This issue coupled with the lack of waste return data, suggests the site is failing to appropriately assess incoming waste streams, to ensure compliance with permit conditions.

Given the issues noted above, this means there is potential for significant impact on the environment & people as a result of non-submission of your waste returns. This risk is heightened due to the proximity of the site to the nearby SSSI Aber Afon Conwy. **As a result, a CCS C2 score has been assigned against permit condition 6.2.2.**

We have advised World Care (Wales) Ltd in the past that waste returns should be submitted to NRW in a timely manner. Despite this advice, the operator continues to fail to submit waste return data to NRW. Enforcement action is being considered.

**Action Required:**

**Please submit outstanding waste returns for Q2 2023 and Q1, Q2 and Q3 of 2024 by the 22nd November 2024.**

**An Environmental Permitting Regulations 2016 Regulation 36 Notice is currently being considered for this permit breach.**

**Hazardous waste**

World Care (Wales) Ltd, accepts hazardous waste to site. This has been identified on previous inspections where fridges and air conditioning units have been stored on site.

The movement of any hazardous waste from a commercial premises to your site is subject to the Hazardous Waste Regulations (Wales) 2005.

This means that a hazardous waste consignment note must be completed for this movement, as per Regulation 35 of the Hazardous Waste Regulations (Wales) 2005.

You can find further information on completing consignment notes, as well as a template to use, here:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/how-to-complete-a-hazardous-waste-consignment-note/?lang=en>

In addition, you are also legally required to submit Hazardous Waste Consignee returns to NRW, to inform us of this movement. This is a requirement under Regulation 53 of the Hazardous Waste Regulations (Wales) 2005.

Please note, just like your waste returns, the consignee returns are also legally required to be submitted within one month of the end of each quarter.

You find further information on submitting these returns here,

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/submit-your-hazardous-waste-return/?lang=en>

Please ensure that moving forward, any hazardous waste you accept from a commercial premises must be compliant with the requirements of the Hazardous Waste Regulations (Wales) 2005.

Should you wish to discuss or query anything in this CAR form, please get in touch using

the details below.

Kind Regards,

**Sarah Walton**

**Waste Regulation Officer**

**Gogledd-Orllewin / North West**

*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.