

## Compliance Assessment Report CAR\_NRW0037268

**Permit being assessed:** EP3995FL.

For: Lamby Way Depot, held by Cardiff Council

At: Lamby Way Depot, Lamby Way, Rumney, Cardiff, Glamorgan, CF3 2HP.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 15/12/2020 between 13:10 and 14:10.

Parts of permit assessed: Permit & operational area

**NRW Lead Officer:** David Warwick-Brown.

**Report sent to:** Martin Williams/Gareth Ffoulkes, TCM/HWRC Manager on 24/12/2020.

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

| Part of permitted activity assessed (criteria)      | Assessment result | Permit condition |
|---|-------------------|------------------|
| C1 - General Management - Staff competency/training | Action only (X)   |                  |

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

| Total number of non-compliances recorded | Total non-compliance score |
|--|----------------------------|
| 0  | 0                          |

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 |
|----------|---|-------------|
| C1       | Please send NRW a copy of the TCM's WAMITAB continuing competency certificate | 07/01/2021  |

Action 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

**Compliance Assessment Report – Lamby Way (EPR-EP3995FL)**

Officer David WARWICK-BROWN attended Lamby Way on 15/12/2020 for a routine inspection and to be introduced as the new Regulatory Officer for the site. The Officer was met with and shown around the site by TCM Martin Williams and HWRC Manager Gareth Ffoulkes. The weather was overcast with a light rainfall. Time at site: 13:10-14:10.

### Inspection

This permit is made up of the Household Waste Recycling Centre (HWRC), the Material Recycling Facility (MRF) and the Household, Commercial & Industrial Waste Transfer Station (WTS). There were no issues to be reported or breaches to the permit recorded following the inspection of these facilities. All parts of the facility appeared to be very clean and tidy, and the whole operation was evidently being run efficiently considering the changes required as a result of COVID-19.

Due to COVID-19, the HWRC now requires members of the public to reserve a timeslot in order to use the facility. During the inspection this new requirement appeared to be working well as there were no queues, members of the public were easily able to comply with the 2m social distancing rule and therefore maintain the health & safety of all customers & staff at the site.

The composting facility has been transferred to EPR-AB3096CP and is regulated by Officer Geraint HARRIS. This part of the site was still inspected during this inspection, however, due to recent and ongoing reports of odour from surrounding residential areas. The Officer & Martin Williams were driven from the main part of the site (north) to the composting facility (south) via 4WD, with the windows down to perceive any potential odour from the composting facility. No odours were detected during this part of the inspection. On arrival, the Officer then was then accompanied around the perimeter of the composting facility, and only a very subtle odour was detected, which was not considered to be an unpleasant smell as the reports have stated.

### Compliance

#### **C1 – Staff Competency & Training – Permit condition 1.1.4 – Action only**

During the inspection it was confirmed that TCM Martin Williams' most recent WAMITAB continuing competency certificate is up to date; however, NRW do not have a copy of this document on file.

**Action** – Please send NRW a copy of the TCM's WAMITAB continuing competency certificate.

Thank you for taking the time to show us around the site during this inspection.

If you have any issues with this report, please contact David Warwick-Brown on 0300 065 3683 or [david.warwick-brown@cyfoethnaturiolcymru.gov.uk](mailto:david.warwick-brown@cyfoethnaturiolcymru.gov.uk)

*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.*

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.

**What are suspended scores?**

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 Industry and Waste action criteria (used in section 1 and 2):****A: Permitted activities**

- A1 Specified by permit

**B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

**C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

**D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

**E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

**F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

**G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

**H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance 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 20 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 – 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.