

Compliance Assessment Report CAR_NRW0037733

Permit being assessed: KB3097TU.

For: Nantycaws Materials Recycling Facilities, held by CWM Environmental Ltd
At: Nantycaws Waste Management Site, Llanddarog Road, Nantycaws, Carmarthen, SA32 8BG.

Type of assessment carried out: Site Inspection, Reason: Other.

On 26/02/2021 between 13:00 and 15:00.

Parts of permit assessed: Waste Storage

NRW Lead Officer: Sally Wakeford, accompanied by David Ellar.

Report sent to: Paul Wakelin, Operations Manager on 08/03/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
C2 - General Management - Management system and operating procedures	C3 Minor	3.5.1
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	2.1.1

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

Total number of 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
C2	Review your FPMP to ensure it works for your site, builds in the emergency measures required and is in line with the current guidance. Provide a copy to NRW on completion and ensure the site runs in accordance with it	28/05/2021
C4	Ensure all wastes are stored in compliance with permit conditions	28/05/2021

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.

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 inspection was undertaken on 26 February 2021 at 13:00 hrs at CWM Environmental Ltd, Nantycaws Materials Recycling Facilities by Sally Wakeford and David Ellar. We were accompanied on site by Paul Wakelin and Craig Stevens of CWM.

The main aim of the inspection was for the returned container of hard plastics from the Port of Southampton which arrived back to CWM earlier that day.

TFS Inspection

The container had been stopped at Southampton by Officers of the Environment Agency due to contamination, dirt and the incorrect Basal Code. The report of the observations for the TFS Inspection will be sent separately.

It was found during the inspection that the waste was consistent with that of waste expected from the plastics bin at a Household Waste Recycling Centre. However, as you should be aiming for 0% contamination within the bales of waste, and as many of the contaminants could have easily been removed, you will be issued with separate advice and guidance for this.

CWM has now gained a contract with a UK company for the hard plastics, the waste will no longer be leaving the UK.

Site Inspection

Whilst on site a general site inspection was undertaken to check on issues from the previous CAR form.

Storage of Blue Bags (unprocessed)

C2 – Management Systems – Permit condition 3.5.1 – CAT 3.

You have been given a CAT 3 score of the above permit condition as during the inspection it was noted that the activity was not being operated in compliance with the Fire Prevention and Mitigation Plan (FPMP) that NRW have on file.

3.5.1 – The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

You have been scored this breach as the fire break wall in the front waste reception area for the blue bags was surrounded by waste. The wall was barely visible and the two

stockpiles merged at the front of the bays, as can be seen in the photographs below.



This is a repeat occurrence of this breach. It was discussed on site that this occurs regularly due to the influx of recyclates in the morning from the waste collections, and by the end of the day the processing of the waste would have reduced it to be in line with the FPMP. As this occurs regularly, you must ensure that your FPMP is fit for purpose to ensure it is appropriate for the scale of the activity, takes into account the fluxes in the wastes in, and ensure that emergency mitigation measures are in place.

ACTION: Review your FPMP to ensure it works for your site, builds in the emergency measures required and is in line with the current guidance. Provide a copy to NRW on completion and ensure the site runs in accordance with it, by the date listed in Section 2 of this form.

Outside Storage of wastes:

C4 – Storage, Handling, Labelling and Segregation – CAT 3 – Permit Condition 2.1.1

You have been given a breach of the above permit condition as when on site it was identified that waste was being stored outside the building. Carpet bales, for example, were

being stored outside, not under cover, as shown to the side of the container in the photograph below.



2.1.1 states: *The operator is only authorised to carry out the activities specified in schedule 1 Table S1.1 (the “activities”)*

Table S1.1

A1 – materials recycling facilities – Wastes listed in Table S2.1:

- *Must be stored on an impermeable surface with sealed drainage*
- *Must be stored in a building or within a container,*
- *All bulking, transfer or treatment must be carried out in a building.*

Textiles and metals etc are all listed in Table S2.1.

A building is defined in Schedule 6 of your permit as:

“building” means a construction that has the objective of providing sheltering cover and minimising emissions of noise, particulate matter, odour and litter.

Therefore, the bays constructed within the rear outside area of your site do class as a building, as long as there are no issues with odour and litter etc, and all wastes should be stored within these buildings.

ACTION: Ensure all wastes are stored in compliance with permit conditions by the date listed in Section 2 of this form.

As noted in the last CAR form (CAR_NRW0037138) that it is stated in your FPMP that wastes stored outside the building are done so in compliance with a registered S2 exemption. At the time of writing this CAR form there is no S2 exemption registered at the site.

NRW have provided direction that in the near future exemptions will not be allowed to be registered at permitted facilities.

Environment Management System

It is a permit requirement to manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints. During the previous inspection we discussed that NRW have not had sight of a site-specific EMS for the MRFs. On the next inspection we will request to see all documents relating to your EMS.

Registered Company address:

The registered office for CWM Environmental Ltd is still down with NRW as MRF Unit Cilleffwr Industrial Estate, Alltynap Road, Johnstown, Carmarthen, SA31 3RA. It is noted that NRW were informed that the company had left this site, and the main offices now based at Nantycaws, however an administrative variation is required for this permit to show the new company registered office address. It is noted it has been changed on Companies House.

ACTION: Submit administrative variation to change the registered office address for CWM Environmental Ltd.

Thank you for your time during the inspection.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the

Forestry Commissioners and the Environment Agency for Wales.

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 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.