

Compliance Assessment Report Report CAR_NRW20210108

Permit being assessed: ZP3098FC

For: Gwrthwynt Waste Transfer Station

held by: Mrs Lowri Mair Evans and Mr Lindley Tobias Evans

At: Gwrthwynt, Beulah, Newcastle Emlyn, Ceredigion

Type of assessment: Report/Data Review

Reason: Routine

On: 08/01/2021

Parts of permit assessed: Permit Condition 2.1.1, 4.2.2, 1.1.1

NRW Lead Officer: Ffion Quan

Report sent to: Lindley Evans / Technically Competent Manager on 11/02/2021

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 – Storage, handling, labelling and segregation	C3 Minor	2.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2
C2 – Management system and operating procedures	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
3	8.1

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
C4	Ensure that you do not exceed 10 tonnes of hazardous waste per day	11/02/2021

Criteria	Action needed	Complete by
G4	Please submit waste returns with the correct description for SDAs and LDAs	31/03/2021
C2	Please review your management system to ensure that it adequately addresses the breaches identified.	11/02/2021

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

On 8th January 2021 Ffion Quan carried out a review of the waste returns submitted by the site for the period covering 1st July 2019 to 30th June 2020 as a part of NRW's routine assessments for compliance.

C4: Waste Storage – Permit Condition 2.1.1; CCS Cat 4:

You have been given a Category 3 breach under the above condition because during the review of your waste returns it was identified at the end of Q2 2020 you had 21.8 tonnes of 17 06 05 Asbestos on site. Along with this, at the end of Q2 2020 there was also 2.21 tonnes of batteries and 6 tonnes of 20 01 35* on site. As noted in the Environmental Permitting (England and Wales) Regulations 2016 you are only allowed 10 tonnes of hazardous waste stored on site per day. Please ensure that you do not exceed the 10 tonnes of hazardous waste per day. This must be done with immediate affect.

G4: Reporting and notification to Natural Resources Wales – Permit Condition 4.2.2; CCS Cat 4:

You have been given a Category 4 breach under the above condition as it was also noted that the description for SDAs and LDAs are incorrect. On the returns, SDAs are given the hazardous code 20 01 35* and LDAs are given code 20 01 36. This is not the correct use of coding wastes as set out in WM3. It is essential that this guidance is followed and that wastes are coded correctly, especially with regards to wastes that might be hazardous. If you want to use your description to identify difference between small and large domestic appliances, then these wastes should be assigned as followed –

20 01 35* - Hazardous SDA
 20 01 36 – Non-hazardous SDA
 20 01 35* - Hazardous LDA
 20 01 36 – Non-hazardous LDA

C2: Management System – Permit Condition 1.1.1; CCS Cat 3:

Management systems are designed to prevent and minimise the risk of environmental harm or pollution from the activities on site and should clearly set out how you manage your site to ensure compliance with your permit. The breaches above indicate that your management system is not adequate, or you are not complying with it. Please review your management system to ensure that it adequately addresses the breaches identified and continue to review it as part of your site operations.

Please ensure you take the following steps to remediate/rectify the breach:

- Ensure that you do not exceed the capacity of 10 tonnes of hazardous waste per day, to be done with immediate affect.
- Submit waste returns with the correct description for SDAs and LDAs by 31/3/21.
- Review your management system to ensure that it adequately addresses the breaches identified.

Other than the above matters, the waste returns indicated that all wastes accepted are allowed under the permit and the amounts are within permitted limits.

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 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 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.