

Compliance Assessment Report CAR_NRW0038125

Permit being assessed: DP3098FN.

For: Dyfed Recycling Services, held by Dafen Service Station Ltd

At: Pencoed Yard, Bellevue Road, Bynea, Llanelli, Carmarthenshire, SA14 9LN.

Type of assessment carried out: Audit, Reason: Routine.

On 29/04/2021 between 10:30 and 11:30.

Parts of permit assessed: Waste storage and site security

NRW Lead Officer: David Ellar.

Report sent to: Steven Brown, Site Manager on 13/05/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 - General Management - Storage, handling labelling and Segregation	C2 Significant	1.1
D1 - Incident Management - Site security	Assessed (A)	

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

Total number of 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
C4	Plasterboard is stored on made ground outside the the treatment building. All waste must be stored on impermeable pad with sealed drainage. The plasterboard must either be removed from site or stored on the impermeable pad. Green waste is stored across the boundary of the impermeable pad on the yard. It is difficult to assess where the edges of the pad are but waste is clearly stored off it. Waste must be stored on an area of impermeable pad with sealed drainage. Please ensure all waste is moved to the confines of the pad.	25/05/2021

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

Senior Waste Regulation Officer David Ellar of Natural Resources Wales (NRW) carried out a site inspection of Dyfed Service Station, Bynea, Llanelli on 29/04/2020.

NRW officer was met and accompanied by Steve Brown during a tour of the site

General:

The site was busy, Site Manager Steven Brown explained that inputs of waste to the site had increased partially due to the recent fire at CWM MRF facility. The treatment building was full of mixed waste and some waste such as cardboard and plaster board could be seen outside and not on an impermeable surface.

Wood waste and hardcore was also seen to be building up against the boundary fence to the west of the site. If this continues the site security will be compromised and waste will leave the confines of the permitted area. Some attention will be needed in this area to ensure future compliance with the permit.

(Compliance criteria C4) Storage of waste:

Plasterboard, bailed cardboard and green waste stored outside of the treatment building and not on an impermeable pad with sealed drainage. **This is a breach of condition 1.1. of your permit and due to the potentially polluting nature of the plasterboard this has been scored as a Category 2 permit breach.**

Plasterboard and bailed cardboard:

Steven Brown explained that this was only temporary due to the amount of waste being processed and it would have been brought back inside later that day. The permit states that waste must be stored on impermeable pad with sealed drainage. The plasterboard must either be removed from site or stored on the impermeable pad in the treatment building.

Photograph showing plasterboard stored off the impermeable pad:



Green waste:

Green waste and wood waste are stored on an impermeable pad on the yard. There was a significant quantity of both on site during the visit. It was hard to determine the confines of the pad due to the amount of waste present, but the green waste could be seen stored off the edge of the pad. The permit states that waste must be stored on impermeable pad with sealed drainage. The waste must be reduced and stored within the confines of the pad.

NRW are still waiting for confirmation of the the drainage for the pad where the wood waste and green waste is stored. This was brought up also during our last visit. Steven Brown explained that they would confirm if the pad is served by a sealed sump or if it drains to the sites interceptor. Please investigate the situation and confirm the drainage arrangements with NRW.

Photograph showing green waste stored off the impermeable pad:



Environment Management System (EMS)

It is noted that the EMS for the site may not reflect the recent changes to site operations. The EMS will be the focus of our next inspection. Please consider and review the document and submit a revised copy to NRW.

Thank you for your time during the visit.

Ends.

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.