

## Compliance Assessment Report CAR\_NRW0038612

**Permit being assessed:** AB3493CS.

For: Unit 1- Crugmore Farm, held by M D Recycling Limited

At: Crugmore Farm, Penparc, Cardigan, Ceredigion, SA43 1RD.

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

On 28/07/2021 between 10:45 and 12:40.

Parts of permit assessed: All

**NRW Lead Officer:** Bethan Lewis, accompanied by Malcolm Dines.

**Report sent to:** Marc Davies, Director on 19/08/2021.

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

| Part of permitted activity assessed (criteria)                        | Assessment result | Permit condition |
|-----------------------------------------------------------------------|-------------------|------------------|
| A1 - Specified by permit                                              | C3 Minor          | 2.4.1            |
| C4 - General Management - Storage, handling labelling and Segregation | C3 Minor          | 2.3.1            |

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 |
|----------|------------------------------------------------------------------------------------------------------------------------------|-------------|
| A1       | Ensure all wastes are stored within the permit boundary                                                                      | 20/09/2021  |
| C4       | Ensure all wastes are stored in accordance with the permit - either within the transfer building or within secure containers | 20/09/2021  |

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

This was a routine announced site inspection of MD Recycling Ltd's standard rules permit and was the second inspection to have been carried out at the standard rules permit since operations first began. At the time of the inspection the weather was warm and dry.

Both Bethan Lewis and Malcolm Dines visited Crugmore Farm on the date of this inspection, however it was only Bethan Lewis who accompanied Marc Davies, the site operator, on the inspection of the standard rules permit.

Inside the transfer building, wastes were mainly stored in either skips or bays as shown in the photographs below.

Whilst the signage above the two bays photographed below show mixed waste and cardboard, you explained that you were currently using both bays for mixed waste. You explained that this waste was going to be separated.



*Mixed waste bay*

Photographed below is your treated wood bay. You explained that you were finding it difficult to export treated wood, hence why the bay was filled beyond capacity. Please note that once waste is segregated within bays, it must not be allowed to mix again. Exceeding the capacity of your bays increases the likelihood of wastes mixing, as can be seen to have begun to occur on this occasion with treated wood seeping into the adjacent bay.



*Treated wood bay*

Please provide NRW with the sections in your Environmental Management System (EMS) pertaining to (1) waste acceptance, storage and removal, and (2) contingency planning for waste streams (particularly waste wood) by the 02 September 2021. These sections will be reviewed in light of the above and a subsequent Compliance Assessment Report (CAR) issued.

#### **A1 Specified by permit - Cat 3; Permit Condition 2.4.1**

During the compliance visit, a pile of end-of-life tyres was observed outside the standard rules permit boundary on the northern side of the waste transfer building. This tyre pile is photographed below. You explained that you had accepted these tyres from local farms and that you were looking to remove them. As condition 2.4.1 of your permit states that activities shall not extend beyond the permit boundary of the site, you have been scored for a category 3 breach under the above condition. Please ensure that you store all wastes within the permit boundary by the 20 September 2021.



*End-of-life tyres stored outside the standard rules permit boundary*

#### **C4 Storage, handling, labelling and segregation - Cat 3; Permit Condition 2.3.1**

While reviewing photographs taken during the compliance visit, it was noted that a full skip of paper and cardboard had been stored outside the transfer building. This skip is photographed below. As seen in the photograph, this skip was not covered or sheeted and some wastes can be seen to have fallen from the skip. This is not considered to be secure containment. As condition 2.3.1 of your permit states that all wastes should be stored in a building or within a secure container, you have been scored for a category 3 breach under the above condition. Please ensure that all wastes are stored in accordance with your permit - either within the waste transfer building or within a secure container by no later than the 20 September 2021.



*Paper and cardboard skip stored outside the waste transfer building*

Although the paper and cardboard skip photographed above was likely situated within the standard rules permit boundary, the overlap between the standard rules and bespoke permit boundaries at Crugmore Farm means that there needs to be clear identification of the permit boundaries on the ground so that operators and regulators alike are able to identify which operations are being carried out under which permit. In addition to being discussed during this compliance visit, this was previously highlighted to you in the CAR dated the 20 December 2018 (Report ID: CAR\_NRW0034378).

Please provide NRW with a written explanation of how you will identify the permit boundaries on the ground at Crugmore Farm, including when you will implement these changes, by the 30 September 2021. Please note that these changes should be implemented by the 31 December 2021 at the latest and should be completed irrespective of whether you plan to vary your permits.

### **Fire Prevention Plan**

Within the CAR dated the 14 January 2020 (Report ID: CAR\_NRW0036131) you were asked to "submit a copy of the Fire Prevention Plan for the site by 20th January 2020". It appears as though you have not submitted this Fire Prevention Plan. Please submit a copy of the Fire Prevention Plan for the site to NRW by the 02 September 2021. Once you have done this, NRW will review your Fire Prevention Plan as part of the compliance work for the site and issue a separate CAR.

*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.*

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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.