

Compliance Assessment Report

Report ID:
CAR_NRW0034740

This form will report compliance with your permit as determined by an NRW officer

Site	Worldcare Wales Ltd	Permit Ref	UP3794FZ			
Operator/Permit holder	World Care (wales) Ltd					
Regime	Waste Operations					
Date of assessment	15/02/2019	Time in	09:40	Out	11:00	
Assessment type	Site Inspection					
Parts of the permit assessed	The CAR Subcriteria listed below					
Lead officer's name	Briscoe, Ross					
Accompanied by	Lang, Vanessa					
Recipient's name/position	Lee Jones/ Site TCM / Director	Date issued	27/02/2019			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	C3	1.1.2
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.1.2
C1 - General Management - Staff competency/training	C3	1.4.3
C2 - General Management - Management system and operating procedures	C3	1.7.1 & 5.7.1
C3 - General Management - Materials acceptance	C3	1.1.4
C4 - General Management - Storage, handling labelling and Segregation	C3	4.6.1
D1 - Incident Management - Site security	C3	3.2.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	C3	4.1.1
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	C4	6.3.1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	9	Total compliance score (see section 5 for scoring scheme)	32.1
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This site inspection was carried out on Friday 15 February 2019 by Natural Resources Wales officers Ross Briscoe (Senior Environment Officer) and Vanessa Lang (Waste Regulation Team Leader).

Present was Lee Jones of World Care (Wales) Limited and Mhairi Duffy (HM inspector of Health & Safety) of the Health & Safety Executive.

An inspection of the permitted area was undertaken followed by brief discussions within the site office. During the inspection, officers also proceeded into the adjoining site operated by Worldcare Recycling Limited to undertake an inspection there. Details of that inspection are recorded separate to this inspection.

Weather conditions throughout the inspection were dry with blue sky and sunshine. Underfoot, conditions were damp with minor small puddles and surface water.

Although open, the site remained quiet throughout the visit with no waste material being accepted or dispatched. Operatives were present carrying out duties which at the time appeared to mainly involve cleaning and tidying of the sites operational areas - a small minor amount of waste was being processed by hand. The trommel and picking line was not operational throughout the whole of the inspection.

Officers walked around the site with Lee Jones and Mhairi Duffy (Health & Safety Executive).

Photographs were taken throughout.

Discussions took place on how waste is moved between the two sites operated by World Care (Wales) Limited and Worldcare Recycling Limited. Officers are still awaiting information from the operator which details this process.

No vermin, pests, odour or noise was noted to be of concern throughout the inspection.

During the inspection, non-compliances were pointed out and discussed with Lee Jones. Lee Jones was also informed that due to the non-compliances identified, an Enforcement Notice would be issued in an attempt ensure permit compliance takes place.

Non-Compliances

A1 - Specified by permit, Permit Condition 1.1.2, Compliance Classification Scheme Category 3 breach.

Waste material was observed outside of the permitted area. This was along the right-hand boundary of the site behind the trommel and picking line and up to the rear of the site towards the stored plasterboard waste. Outgoing landfill waste had also fallen over from the landfill bay into the neighbouring yard operated by Worldcare Recycling Limited.

Currently it is difficult to identify the site boundaries due to the quantity of waste stored on site. This is particularly evident along the boundary where the mixed waste stockpile (See image 1) is located. The boundaries of the site need to be clearly defined and fit for purpose so that waste material is not placed or found to be spilling outside of the permitted area. In addition, as highlighted below, the boundary of the site must comply with the conditions outlined within the site permit (condition 3.2.1) and as you have detailed within your current working plan. Permit condition 1.1.2 outlines that no deposit of waste shall take place outside of the permitted area, therefore all waste material currently located outside of the permitted area must be brought back within the permitted area. This breach of permit condition has been recorded as a category 3 non-compliance.

Image 1



B3 - Infrastructure - Site drainage engineering (clean and foul), Permit Condition 2.1.2, Compliance Classification Scheme Category 3 breach.

The site drainage system on site is currently not fit for purpose. Although there was evidence of repairs taking place, the damaged kerbing within the site entrance would allow contaminated surface water (silt laden) to flow off site via the site entrance gates and enter the highway drains on the public highway. It is still unclear as to where the site drainage system discharges to (foul sewer, surface water system, combined sewer). Aside from satisfying the issue from a Fire Prevention & Mitigation Plan perspective you need to be aware of the drainage system on site and ensure that all surface water from site is discharged appropriately. Please also note that an interceptor's purpose is to remove hydrocarbons and alike from the surface water, so this should not be relied upon as a means of dealing with contaminated surface water (silt laden). Condition 2.1.2 (Table 2.1) sets out the standards for the site drainage system which must be complied with. In addition, the drainage on site does not appear to be being maintained to ensure its effectiveness. Officers could not identify the exact location of the drains in front of the picking line as they were covered in mud. When the location of a drain was established an officer had to scrape back the mud to expose the drain cover (See image 2). This breach of permit condition has been recorded as a minor category 3 non-compliance.

Image 2



C1 - General Management - Staff competency/training, Permit Condition 1.4.3, Compliance Classification Scheme Category 3 breach.

As was detailed upon the previous compliance assessment report for the inspection carried out on 30 November 2018, it is apparent that the conditions of the permit and the procedures outlined within your working plan, along with the specified operating techniques are not being followed. This suggests that staff on site are not fully aware of the requirements or are not implementing them correctly. Operatives need to be aware of permit conditions in order to avoid non-compliances which ultimately results in pollution of the environment. The lack of staff training was discussed and why this isn't carried out, however as an operator you have a responsibility to ensure compliance with the permit. You should consider training on site in an attempt to improve permit understanding and reduce the risk of non-compliance. This breach of permit condition 1.4.3 has been recorded as a minor category 3 non-compliance.

C2 - General Management - Management system and operating procedures, Permit Condition 1.7.1, Compliance Classification Scheme Category 3 breach.

Your current working plan (management system) is not up to date and from the observations made on site it is clear that the procedures are not being followed and implemented properly. In addition, your current working plan does not appear to accurately reflect what is taking place on site, notably the site drainage and site security sections, the waste deposit, handling, storage and dispatch sections, and the site inspections and maintenance section. You should review this documentation to ensure that it is fit for purpose and provides appropriate measures to minimise pollution. This breach of permit condition is likely to be a root cause for the other non-compliances identified on site. As a result, a minor category 3 non-compliance has been recorded against permit condition 1.7.1.

C2 - General Management - Management system and operating procedures, Permit Condition 5.7.1, Compliance Classification Scheme Category 3 breach. (Score consolidated due to multiple CAR sub-criteria breaches).

Although a full review of operations against your Fire Prevention and Mitigation Plan (FPMP) was not undertaken, it was evident that on-site operations were not taking place in accordance with the latest version (v6.0) of your Fire Prevention and Mitigation Plan (FPMP). The detailed separation distances are not being maintained, particularly across the central area of the site which contained skips of cardboard waste and your identified quarantine area was full of skips containing waste material (exempt), inert waste and product stockpiles. It is also noted that the drainage requirements as highlighted above have not yet been addressed

which is also linked to your FPMP. You need to ensure that you operate your site in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance. As a result of your operations not taking place in accordance with the detail of your FPMP a category 3 non-compliance has been recorded against permit condition 5.7.1.

C3 - General Management - Materials acceptance, Permit Condition 1.1.4, Compliance Classification Scheme Category 3 breach.

Wastes on site are not being appropriately stored within skips and bays as required by permit condition 1.1.4. The unprocessed mixed waste stockpile, the stockpile of inerts, the stockpile of plasterboard and the wood stockpile are all beyond capacity of what can be stored within skips and bays constructed in accordance with condition 2.1. The general volume of waste stored on site is of concern. The stockpiles of waste are piled high and some stockpiles are wedged in behind other stockpiles. Of concern is the quantity of plasterboard which is being stored on site towards the rear. This waste appears to have been located on site for a considerable period of time indicated by its weathered appearance and lack of plasterboard shape or form (See image 3). The quantity of this waste should be reduced on site with waste being removed to a suitably permitted facility. This breach of this permit condition has been recorded as a category 3 non-compliance.

Image 3



C4 - General Management - Storage, handling, labelling and Segregation, Permit Condition 4.6.1 (Table 4.6), Compliance Classification Scheme Category 3 breach.

Condition 4.6.1 (Table 4.6) of the site permit specifies storage standards for waste with specified hazardous properties or forms. Within Table 4.6, requirement 'e' specifies that combustible wastes are only permitted if stored in bays provided with an impermeable surface and sealed drainage system with access to firefighting equipment. These requirements were not observed to be in place on site. Combustible wastes (wood, mixed waste) was observed without these provisions. In addition, wastes which are likely to produce polluting or contaminating run off must also be stored with specified provisions (Table 4.6 'c'), notably that inert wastes must be stored in bays with either hardstanding and drainage that prevents run-off from the waste into adjacent surface water bodies or storm water drains; or with an impermeable pavement and sealed drainage. Degradable household wastes are required to be stored in areas with impermeable pavement and sealed drainage and either stored in sealed containers; or stored in covered shelters or roofed areas; or stored in bays. You must ensure that the wastes specified within Table 4.6 are stored in accordance with the requirements set out with Table 4.6. The breach of this permit condition has been recorded as a category 3 non-compliance.

D1 - Incident Management - Site security, Permit Condition 3.2.1, Compliance Classification Scheme Category 3 breach.

At present the site security does not meet the standards which are specified within condition 3.2.1 (Table 3.2) of the site permit.

The fence which surrounds the site at the rear and along the right-hand side of the site is damaged, leaning over and appears missing in sections. The permit condition requires inspections to take place daily and defects to be made secure by temporary repair which shall then be repaired within 7 working days of the damage being detected. It is important that the security of the site remains effective in order to prevent any unauthorised access. You must ensure that the security of the site is maintained to the standards specified by the permit or unless otherwise agreed in writing. This non-compliance has been recorded as a category 3 breach.

F5 – Deposits on highway, Permit Condition 4.1.1, Compliance Classification Scheme Category 3 breach.

Directly outside of the main site gates the highway was covered in a layer of dirt and dried mud. It was evident that this had been tracked out of the main site gates by vehicles exiting the site and flowed off site due to the broken site drainage system (See image 4). When vehicles were passing the site on the highway the dried mud was then being blown around. No action was being taken to try and remediate this issue. You should ensure that action is taken to prevent mud and dirt from exiting the site and should any mud or dirt be accidentally traced out of the site ensure that remedial action is taken immediately. This non-compliance has been recorded as a category 3 breach.

Image 4



G2 – Records or activity, site diary/journal/events, Permit Condition 6.3.1, Compliance Classification Scheme Category 4 breach.

Condition 6.3.1 of the site permit requires a site diary to be kept and to record details of specified activities and occurrences that take place at the site including items such as construction work, emergencies, complaints about activities and environmental problems and remedial actions taken. When officers asked to see the site diary, officers were informed that they is no diary that is currently in use. You should ensure that a site diary is used and that it is kept up to date and is available for inspection when requested. Please ensure the requirements of this permit condition are actioned. This non-compliance has been recorded as a category 4 breach.

To summarise the following non-compliance have been recorded

A1 – Category 3 breach – 4 CCS points

B3 – Category 3 breach – 4 CCS points

C1 – Category 3 breach – 4 CCS points

C2 – Category 3 breach – 4 CCS points

C2 – Category 3 breach – 4 CCS points (Score consolidated)

C3 – Category 3 breach – 4 CCS points

C4 – Category 3 breach – 4 CCS points

D1 – Category 3 breach – 4 CCS points

F5 – Category 3 breach – 4 CCS points

G2 – Category 4 breach – 0.1 CCS points

Total number of CCS points recorded for site inspection on 15 February 2019 – 32.1.

The total number of CCS points for the 2019 compliance year so far is 32.1. This at present places you within compliance band D.

The number of non-compliances observed upon the inspection is of concern. Similar if not the same non-compliances were observed upon the previous inspection carried out on 30 November 2018. As advised upon this inspection, a Regulation 36 Enforcement Notice will now be served. This will seek to ensure that compliance is achieved by set deadlines. It should be noted that failure to comply with an Enforcement Notice issued by Natural Resources Wales is a serious offence and will be dealt with accordingly should compliance not be achieved.

Thank you for your time.

Regards

Ross Briscoe, Senior Environment Officer (Waste Regulation), ross.briscoe@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 2012.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034740**

This form will report compliance with your permit as determined by an NRW officer

Site	Worldcare Wales Ltd	Permit Ref	UP3794FZ
Operator/Permit holder	World Care (wales) Ltd	Date	15/02/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C1	C3	Ensure that all management and site operatives are aware of permit requirements and have received training relevant to their duties. TCM should be effectively ensuring compliance with permit conditions. Update and action training needs assessment accordingly. Review site operating techniques to ensure they are fit for purpose and provide appropriate measures to protect the environment and human health.	22/03/2019
A1	C3	All waste associated with permitted activities must be stored appropriately within the permitted area of the site.	08/05/2019
B3	C3	Ensure that site drainage system is fit for purpose and complies with conditions of permit. Drainage system effectiveness should monitored, with remedial action taken as soon as a problem is identified. Broken or damaged infrastructure should be repaired or replaced.	08/05/2019
C2	C3	Review, amend and update site Environmental Management System so that it reflects current working practices, adheres to permit conditions and provides appropriate measures to minimise the risk of pollution and harm to human health. Operate permitted activities in line with your current Fire Prevention and Mitigation Plan and ensure that your current Fire Prevention and Mitigation Plan is in accordance with the current Natural Resources Wales guidance.	08/05/2019
C3	C3	Ensure that excess waste material which cannot be contained within skips and bays is removed from site so that permit conditions are complied with.	08/05/2019
C4	C3	Ensure all wastes with specified forms as indicated within table 4.6 of the site permit are stored in accordance with the criteria outlined.	08/05/2019
D1	C3	Ensure that site security fence is reinstated to meet the standards outlined within the permit and prevent unauthorised access.	08/05/2019
F5	C3	Ensure that measures are put in place to prevent mud from	22/03/2019

		leaving the site on vehicles. Ensure that any mud which is tracked onto the highway is dealt with immediately.	
G2	C4	Maintain site diary as required by permit condition 6.3.1 to detail all requirements listed under specified condition.	22/03/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.