

Compliance Assessment Report CAR_NRW0038672

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, SA38 9QE.

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

On 24/08/2021 between 10:15 and 11:00.

Parts of permit assessed: See criteria listed below

NRW Lead Officer: Ffion Quan, accompanied by Jeremy Goddard.

Report sent to: Lindley Evans, TCM on 15/10/2021.

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)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	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
0	0

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?

No action required.

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

A routine unannounced site inspection was undertaken by Natural Resources Wales officer Ffion Quan accompanied by Jeremy Goddard. Officers on site were met by Viv Hitchman.

The weather throughout the visit was sunny and dry. The site was operational at the time of the visit.

General Observations:

The site was clean and tidy throughout, with all waste kept in designated bays, containers and buildings. See photographs below.





Site identification board

As noted on previous CAR_NRW0035306 sent on the 26/07/2019, your site identification board was out of date and also not located at the main entrance in clear view of visitors and members of the public. Subsequent to this visit, you arranged for a new ID board. The sign appeared to contain all necessary information and located in the appropriate location,

near the main entrance gate, as seen in photograph below.



Other issues

Agricultural plastic

One issue highlighted during the visit was the amount of farm plastic waste stored on site (See photograph below). Ms Hitchman explained that there is currently an issue involving getting rid of farm plastics from site due to suitable outlets closing during the COVID-19 pandemic. Gwrthwynt are currently waiting to take the material to a suitable outlet, once a date has been agreed.

ACTION - Please contact ffion.quan@cyfoethnaturiolcymru.gov.uk when levels of agricultural plastic on site have reduced.



Fire poses a significant risk during the storage of combustible waste materials therefore, you must ensure that suitable measures are in place to prevent the risk of fire at your site. Please can you ensure that the material on site is stored in accordance with the Fire Prevention Mitigation Plan (FPMP) guidance, which can be found [HERE](#). You need to manage the agricultural plastic on site so it does not cause any issues therefore, the storage of materials must meet the requirements of this guidance whilst also ensuring that your management system is reviewed and updated as necessary. Your Environmental Management System (EMS) will be reviewed by NRW at a later date.

Battery containers

The battery containers did not have any covers (see photograph below). Rainwater is likely to enter the battery containers and become contaminated with acid from the batteries. Therefore, the contaminated water must be tested and disposed of appropriately. Please get covers for the containers in order to prevent rainwater entering.



SDAs/LDAs

As highlighted on the previous CAR_NRW20210607, it was picked up that you were describing EWC code 20 01 35* as SDAs and 20 01 36 as LDAs. After discussions during the site visit, it has been brought to our attention that hazardous and non hazardous are not separated on site and therefore all classed as hazardous, which could be a factor why previously your tonnages were too high for hazardous waste stored on site. You need to be consigning these from a hazardous waste perspective whether they are hazardous waste or not.

Fire Prevention and Mitigation Plan (FPMP)

A Fire Prevention and Mitigation Plan represents the minimum appropriate measures required to be put in place by operators to ensure that on site fires are prevented. After discussion on site regarding the FPMP, your permit has not been varied to include this condition, therefore, it is not a requirement to have a copy of your FPMP in a locked box at the site entrance. Although there is no permit condition, your permit will eventually be varied to include the condition therefore, it is always best practice to start applying our

FPMP guidance as soon as possible.

Himalayan Balsam

Whilst out on site, we noticed that there is quite a lot of Himalayan Balsam growing towards the bottom section of the yard. This is a non-native invasive species that spreads very quickly. Please read this guidance from the government website, [HERE](#), regarding controlling it on your own land.

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.

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.