

Compliance Assessment Report

Report ID:
CAR_NRW0034929

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

Site	Worldcare Recycling	Permit Ref	AB3998CJ		
Operator/Permit holder	Worldcare Recycling Limited				
Regime	Waste Operations				
Date of assessment	27/03/2019	Time in	11:00	Out	11:25
Assessment type	Site Inspection				
Parts of the permit assessed	The CAR Subcriteria listed below				
Lead officer's name	Briscoe, Ross				
Accompanied by	Peel, Louise				
Recipient's name/position	Lee Jones/ Site Manager/Director/TCM	Date issued	05/04/2019		

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
C1 - General Management - Staff competency/training	C3	1.1.1(b)
C2 - General Management - Management system and operating procedures	C4	1.1.1(a)
C3 - General Management - Materials acceptance	C3	2.3.2
F5 - Amenity - Deposits on road	C3	2.3.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	5	Total compliance score (see section 5 for scoring scheme)	12.2
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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 Wednesday 27 March 2019 by Natural Resources Wales officers Ross Briscoe (Senior Environment Officer) and Louise Peel (Senior Environment Officer).

Present was Lee Jones of Worldcare Recycling Limited.

Prior to the inspection carried out on this permitted area which is operated by Worldcare Recycling Limited, officers had inspected the neighbouring site which is operated by World Care (Wales) Limited – the sites are adjoining.

The visit consisted of an inspection of the permitted area only – no site documentation was reviewed within the site office.

Weather conditions throughout the inspection were dry and cloudy. Underfoot, conditions were dry in most places within the odd damp area.

Although open, no waste activities (apart from waste storage) were taking place on the site whilst officers were present. There were large stockpiles of both waste and recovered product on site which were taking up a large part of the permitted area space. Elsewhere crushing and screening machines were positioned on site (not operational) and skips containing exempt waste were also being stored.

Lee Jones walked around the permitted area with officers explaining what activities take place on site. Photographs were also taken.

Throughout the inspection a number of non-compliances were identified which were highlighted to Lee Jones. It is of concern that the non-compliances identified are the same as the non-compliances which were identified upon the previous inspection carried out at the site on 15.02.2019 despite action deadlines being set and expiring within the previous CAR form (CAR_NRW0034731). Should this trend continue Natural Resources Wales may look to take further enforcement action which could result in the serving of an enforcement notice.

The non-compliances are detailed below along with actions (section 4 of Compliance Assessment Report) required in order to bring the site back into compliance.

C1 – Staff Competency/training, Permit Condition 1.1.1 (b), Compliance Classification Scheme Category 3 breach.

The non-compliances observed upon this inspection indicates a lack of staff awareness and understanding of the site permit. Due to mixed waste being accepted and stored on site, the condition of the site surfaces and mud/debris being tracked onto the site highway with no remedial action being taken at all – it suggests that staff are unaware of permit requirements or they are being disregarded. Site staff should be aware of permit requirements relevant to their duties and should be supervised by sufficient and competent resources. As advised previously, please ensure that permit familiarisation, staff training and awareness is considered and undertaken in an attempt to address these issues and prevent reoccurrence of non-compliance. Please document any action taken to address this non-compliance for example by keeping records of staff training undertaken which is also a requirement of your operating procedures. A category 3 non-compliance has been recorded.

C2 – Management Systems – Permit Condition 1.1.1 (a), Compliance Classification Scheme Category 4 breach.

The fact that your waste returns for quarter 4 2018 have still not been received by Natural Resources Wales indicates that the process and procedures being carried out are not fit for purpose and are not appropriate to ensure that permit compliance takes place. As you have now failed to submit your waste returns despite being reminded within the previous Compliance Assessment Report a category 4 non-compliance has been recorded against condition 1.1.1 (a) of your permit.

C3 – Materials Acceptance, Permit Condition 2.3.2, Compliance Classification Scheme Category 3 breach.

The same skip of mixed waste was still positioned within the permitted area close to the main site entrance gates (see photograph 1). Your permit only allows for specified inert wastes to be accepted and processed on site – no mixed waste is permitted by the conditions of your permit. The skip of mixed waste should be removed from site immediately and procedures put in place to ensure that this non-compliance does not happen again. As the site does not benefit from the correct infrastructure for non-inert

wastes a category 3 non-compliance has been recorded for this non-compliance.

Photograph 1



F5 – Deposits on road, Permit Condition 2.3.1, Compliance Classification Scheme Category 3 breach.

Mud and a dry debris was observed on the highway directly outside of the site entrance gates (see photograph 2). It was evident that this debris had been tracked out of the permitted area by vehicles exiting the site. There was no action being taken at the time of the site inspection to address the condition of the highway outside of the site. As highlighted previously, permit condition 2.3.1, section 2.1.4 of your operating techniques state what action will be taken in the event of mud on the highway and what action will be taken to try and prevent mud becoming a problem outside of the site. You should ensure that your operating techniques are followed at all times and if they are not effective, they should be reviewed and updated accordingly. A category 3 non-compliance has been recorded due to the condition of the highway outside of the site.

Photograph 2



G4 – Reporting and notification to Natural Resources Wales, Permit Condition 4.2.2, Compliance Classification Scheme Category 3 breach.

The quarter 4 (01 October to 31 December) 2018 waste returns have still not yet been received by Natural Resources Wales. These particular quarter 4 waste returns were required to be submitted by the 31 January 2019. Please ensure that the quarter 4 2018 waste returns are submitted as soon as possible via email to waste.returns@cyfoethnaturiolcymru.gov.uk.

For your future information, the waste return quarters and reporting deadlines are as follows –

Quarter 1 (01 January – 31 March) submission deadline 30 April

Quarter 2 (01 April – 30 June) submission deadline 31 July

Quarter 3 (01 July – 30 September) submission deadline 31 October

Quarter 4 (01 October – 31 December) submission deadline 31 January

Several non-compliances were identified upon this site inspection and are detailed above. Please ensure that appropriate action is taken in order to return to compliance.

A summary of the Compliance Classification Scheme breaches and scoring totals are shown below

C1 – Category 3 – 4 points,

C2 – Category 4 – 0.1 points,

C3 – Category 3 – 4 points,

F5 – Category 3 – 4 points,

G4 – Category 4 – 0.1 points

Total Compliance Classification Scheme points 12.2

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:
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Site	Worldcare Recycling	Permit Ref	AB3998CJ
Operator/Permit holder	Worldcare Recycling Limited	Date	27/03/2019

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
G4	C4	Submit waste returns for Oct - Dec 2018 period by the specified date.	30/04/2019
F5	C3	Mud and dust observed on the highway outside of the site resulting from onsite operations.	30/04/2019
C3	C3	Ensure that only permitted waste is accepted and stored on site and any unpermitted waste is removed from site (including the waste observed on 15.02.2019 & 27.03.2019 as mentioned within the comments section).	30/04/2019
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.	30/04/2019
C2	C4	Refer to Environment Management System and Operating Techniques for site procedures. Ensure Documentation is reviewed and updated where required to ensure non-compliance is prevented.	30/04/2019

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.