

Compliance Assessment Report CAR_NRW0038948

Permit being assessed: JB3531AB.

For: Enviroventure Waste Solutions Recycling Facility, held by Enviroventure Waste Solutions Ltd

At: Waterston Ind Est, Waterston, Milford Haven, Pembrokeshire, SA73 1DP.

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

On 03/11/2021 between 11:30 and 12:20.

Parts of permit assessed: Waste storage and treatment pad

NRW Lead Officer: David Ellar.

Report sent to: Diana Jones, TCM on 19/11/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
A1 - Specified by permit	C3 Minor	2.1.1 table s1.1
C1 - General Management - Staff competency/training	Action only (X)	

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
C2	Site drainage is to be checked and maintained as detailed in your Environmental Management System e.g. daily checks, kept free from blockage and tank emptied when 75% capacity reached.	17/12/2021
A1	Waste was seen spilling from the sides and rear of the treatment pad. All waste must be stored and treated in accordance with condition 2.1.1 of your permit. Please ensure all waste is either placed on treatment pad or removed from site.	24/12/2021
C1	TCM continued competency has expired. Please ensure renewal is obtained.	31/03/2022

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.

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

The inspection was undertaken at a time following an extended period of heavy rain. I was accompanied around the site by site manager Phil Harris and after the site tour, all identified issues were discussed with the site TCM Diana Jones.

The following observations were made:

Site Drainage

Non-Compliance: (C2) Management system and operating procedures. Category 3 Non-Compliance of permit condition 1.1.1

There was some significant pooling of water on site which did appear to prohibit some on-site operations and would potentially limit the effectiveness of the sealed drainage system on the treatment pad. Your Environment Management System (EMS) details actions you must undertake to address site risk and ensure you comply with your permit. Appendix 2 (2.9) of the EMS states that daily checks of drainage will be undertaken and channels will be swept and kept clear. It also states that the sump will be checked daily and emptied when 75% capacity reached. **This has not been done and is a breach of condition 1.1.1 of your permit and has been recorded as a Category 3 noncompliance.**

Phil Harris explained that there had been some unexpected delays with removing waste from site and as a result the waste on the pad was blocking the drainage channels and he was also unable to check if the sump was at capacity. It was noted that you intend to empty the water run-off storage system soon. It was mentioned on site that this liquid is taken to Mekatek Limited. Could you please provide a copy of the consignment note, when available, for our records. Please also ensure waste is reduced on the pad so that the channels can be cleared.

Photograph showing pooling water extending over edge of treatment pad:



ACTION: Reduce waste on treatment pad so drainage channels can be cleared and sump capacity can be checked. Please also send copy of consignment note when sum is emptied.

Waste stored off the treatment pad

Non-Compliance: (A1) Specified by permit. Category 3 Non-Compliance of permit condition 2.1.1 and table s1.1.

The treatment pad was full to capacity and waste was observed spilling off the sides and rear of it. Table s1.1 of your permit states that all waste must be stored and treated on an impermeable surface with sealed drainage system. Waste was seen spilling off the edges of the treatment pad. **This is a breach of condition 2.1.1 of your permit and has been recorded as a Category 3 noncompliance.**

Photograph showing waste stored off edge of treatment pad:



ACTION: Waste must be moved from the hardstanding and stored on the treatment pad or removed off site.

TCM

Diana Jones is the TCM for the site and her continued competency qualification has expired (April 2020). Diana informed us that renewals had been cancelled by WAMITAB due to the pandemic and showed offer evidence of this. Because of this, this has not been recorded as a breach but action only. We are aware that the booking onto continued competency is now available so Diana must renew the qualification when able.

Action: Diana Jones to renew continued competence.

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.