

Compliance Assessment Report CAR_NRW0038960

Permit being assessed: UP3794FZ.

For: Worldcare Wales Ltd, held by World Care (wales) Ltd

At: Worldcare Wales Ltd, Llandudno Junction, Conwy, LL31 9PN.

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

On 17/11/2021 between 10:40 and 11:30.

Parts of permit assessed: The CAR sub criteria listed below

NRW Lead Officer: Cathrine Kiely, accompanied by Donna Muirhead.

Report sent to: Lee Jones, site TCM/Director on 06/12/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	C4 No impact	6.3.1
C3 - General Management - Materials acceptance	C2 Significant	1.1.4
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	4.6.1
F5 - Amenity - Deposits on road	C3 Minor	4.1.1
F2 - Amenity - Noise	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
C2 - General Management - Management system and operating procedures	C3 Minor	5.7.1

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
5	43.1

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
G2	Ensure a site diary is maintained as per permit condition 6.3.1	14/12/2021
C3	Ensure that excess waste material which cannot be contained within skips and bays are removed from site to ensure permit can be complied with	14/12/2021
C4	Waste with specific properties were not being stored in accordance with permit. Ensure they are moved so	14/12/2021

Criteria	Action needed	Complete by
	compliance with permit can be achieved	
F5	Ensure that measures are put in place to prevent mud from leaving site. Ensure any mud which is tracked onto highway is dealt with immediately	14/12/2021
C2	Ensure that the site is operated in accordance with the latest version (v.06) of the fire prevention plan.	14/12/2021

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

This site inspection was carried out on Wednesday 17/11/21 by Natural Resources Wales officers Cathrine Kiely (Senior Officer, Waste Regulation) and Donna Muirhead (Officer, Waste Regulation)

Weather conditions throughout the inspection was dry and cloudy.

Officers were met on site by Lee Jones (director/TCM) and were shown to the site offices for brief discussions prior to inspection. The site was open and there was a lot of activity on site. The trommel and picking line was operational and site operatives were actively segregating waste on the yard.

Due to the amount of waste on the yard officers could not walk much further past the entrance to the site for health and safety reasons and photos were taken from where officers were stood.

Noise, odour and vermin on site were assessed and were compliant with the permit.

During the inspection non-compliances were pointed out to Lee Jones.

Non Compliances

G2 - Records of activity, site diary/journal/events. Permit condition 6.3.1. Compliance Classification Scheme Category 4 breach

When officers asked to see the site diary during initial discussions in the office we were informed that there was no site diary. Condition 6.3.1 of the permit states that a site diary should be kept to record any environmental issues on site, remedial actions, complaints about activities ect.

Please ensure a site diary is available for inspection when requested and is kept up to date.

F5 - Deposits on Road. Permit condition 4.1.1 Compliance Classification Scheme Category 3 breach

The entrance to the site was muddy with evidence of mud which had carried on the tyres of vehicles and onto the main road. No action was being taken whilst officers were on site to remediate this issue. You should ensure that measures are taken so that mud and dirt is not tracked off site by vehicles and any evidence of dirt on the highway should be remediated immediately.

image 1:

**C4 - Storage, handling labelling and segregation. Permit condition 4.6.1 Compliance Classification Scheme Category 3 breach.**

There were several batteries which were stockpiled in the open and not stored within the container located next to them. Permit condition 4.6.1 refers to table 6 which states that hazardous waste "shall only be stored in sealed containers within a secure hazardous store". Ensure that these waste types are stored in the appropriate way as specified in table 4.6 of the permit.

image 2:



Fire extinguishers

Batteries were found to be stored and mixed with fire extinguishers.

This is non-compliant with the following:

Regulation 19- Hazardous Waste Regulations (Wales) 2005- Mixing of Hazardous waste

“No establishment or undertaking which carries out the disposal or recovery of hazardous waste, or which produces, collects or transports hazardous waste, may mix any hazardous waste.”

The following advice and guidance will serve as our response to this non-compliance.

The Hazardous waste regulations 2005 prohibits the mixing of hazardous wastes with other hazardous waste or other non-hazardous wastes.

As batteries are typically hazardous wastes (unless they are alkaline batteries) they must not be mixed with fire extinguishers which can be hazardous, depending on their contents. Please ensure that waste batteries are stored in appropriate acid resistant containers with a lid and that they are not mixed in the same pile as fire extinguishers (or any other type of waste for that matter).

As mentioned above, the fire extinguishers can be hazardous waste, depending on their contents. Therefore, you should ensure that you accurately describe your waste, including any hazardous properties in order to fully understand what type of waste it is. You should be aware that Coding and Classification of waste is the responsibility of the waste producer/holder. The guidance on classifying waste can be found here:

<https://www.gov.uk/government/publications/waste-classification-technical-guidance>

Please note, NRW as the regulator is not in a position to code and classify your waste for you, this is your responsibility. However, we can provide some advice and guidance around this:

- Generally, fire extinguishers that have been emptied/ depressurised can be classed as non-hazardous metallic packaging type waste (chapter 15 waste). Please note that the final assessment on whether the containers are effectively empty of their content is for you to decide. Despite this, there are some types of fire extinguishers that may still be classed differently, despite being empty.
- Any fire-extinguishers that still have some contents inside will likely be classed as “gases in pressure containers”, in particular, EWC code -16 05 04* or 16 05 05. As you will see these are mirror hazardous waste entries, therefore, you would have to prove that the contents are non-hazardous in order to classify them as such. Otherwise they will have to be classified as 16 05 04* which would deem them as hazardous.

Your permit does not authorise you to accept any 16 05 04*/ 05 waste. Therefore, the only type of fire-extinguisher waste that should be on your site should be ones that have been emptied before arriving at your site and are classified as metallic packaging waste.

C3 - Materials acceptance. Permit Condition 1.1.4, Compliance Classification Scheme Category 2 breach

Stockpiles of waste wood, mattresses and scrap metal could be seen on the yard and quantities were in excess of what could be stored in the bays. This is contrary to what is stated in condition 1.1.4, table 1.1 "Maximum storage capacity of the site shall not exceed that which can be contained within skips and bays constructed in accordance with conditions in section 2.1". It was not possible to ascertain the exact quantity of waste wood which was stored on the yard as it was unsafe to do so. Generally, the volume of waste stored on site is concerning. Storing the waste wood and mattresses in these large quantities poses a fire risk at the site which could pose a significant risk of smoke pollution affecting the nearby highway the A55 as well as the risk of contaminated fire water entering nearby watercourses. Ensure the quantity of waste on site is reduced and taken to a facility which is suitably permitted.

image 3:



image 4:



C2 - General Management - Management System and Operating Procedures - Permit condition 5.7.1 Compliance Classification Scheme Category 3 breach

It was evident that the site was not being managed in accordance with the latest version (v.06) of the Fire Prevention and Mitigation Plan (FPMP). Condition 4.3 of the FPMP states that there should be detailed separation distances between the stockpiles to mitigate the spread of fire. This is clearly not being adhered to on site as it is unclear where the stockpile of wood ends and the stockpile of mattresses start. You must ensure that you operate the site in accordance with your written Fire Prevention and Mitigation Plan.

Summary

During the inspection the number of non-compliances observed were concerning. An inspection carried out by Senior Officer Ross Briscoe in February 2019 noted some

identical breaches and as a result a Reg 36 Environmental Permitting Regulations (2016) enforcement notice was served on the site. Following the inspection on the 17th November, I returned to site on the 30th of November and saw that waste quantities on site remained the same with no noticeable reduction in the size of the waste piles. As mentioned I will be returning to site for a joint visit with the Fire and Rescue Service. Natural Resources Wales will now be considering the appropriate enforcement response to the breaches observed.

Regards,

Cathrine Kiely

Senior Officer, Waste Regulation NW

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Please note any reference within the CAR/permit to the Environment Agency means Natural Resources Wales. 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.