Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0032122

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	22/08/2017	Time in	11:20	Out	12:10
Assessment type	Site Inspection				
Parts of the permit assessed	as below				
Lead officer's name	Thomas, Rhys				
Accompanied by	Geraint Hughes NWFRS				
Recipient's name/position	Lee Jones/ TCM	Date issued	12/09/2017		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B4 - Infrastructure - Containment of stored materials	C3	4.6.1
C2 - General Management - Management system and operating procedures	C3	1.1.6
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	C3	1.1.4
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	6.2.2

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)	16.1

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

Routine unannounced inspection carried out by Environment Officer Rhys Thomas. Accompanied by Geraint Hughes from North Wales Fire Service who is currently on secondment with Natural Resources Wales looking at fire prevention and safety at waste sites. TCM Lee Jones was not present on site at time of inspection. Officers were accompanied on site by Mark McGuire.

Weather conditions were dry and warm at time of inspection, with little or no breeze on site. Since the last site inspection on 22nd June 2017 it appeared that there was a lot more waste material on site. It was not possible to walk through to the back of the site through the permitted area, as waste material was strewn across the main access through site. Officers were able to access the far end of the permitted area via the adjacent yard. Operatives on site were carrying out waste management duties at the time. Photographs were taken throughout the inspection.

During the inspection the following breaches of permit conditions were noted:

A1 – Permitted Activities – Specified by Permit. Permit Condition 1.1.2. CCS Score C3.
During the inspection it was noted that waste material was being stored outside of the permitted area. A roll-on roll-off skip full of trommel fines was located outside the site gate next to the public highway. A full skip (bottle bank) of glass was also located outside the permitted area, on the grass verge next to the public highway. One large roll-on roll-off skip, and one smaller skip, both containing mixed wastes were stored outside the permitted area, on the yard where waste exemptions are registered. None of the exemptions registered permit the storage of mixed wastes.
Action: Ensure all waste materials associated with permitted activities are stored within the boundary of the site permit.

B4 – Infrastructure – Containment of stored materials. Permit Condition 4.6.1 (table 4.6). CCS Score C3.
At the time of inspection there was a large amount of fridges / freezers stockpiled in the bays at the far end of the site. This refrigeration equipment storage area does not meet the requirements set out in the permit. Table 4.6 (i) requires refrigeration equipment to be stored on an impermeable pavement provided in accordance with permit condition 2.1.
Action: Ensure that refrigeration equipment (fridges / freezers) are stored in bays or containers that meet the requirements set out in table 4.6 (i)

C1 - General Management - Staff Competency / Training. Permit Condition 1.1.6(b). CCS Score C3 (score consolidated with sub-criteria C2)

This permit condition requires activities to be operated using sufficient competent persons and resources. Due to the way activities are being carried out on site, and the amount of permit breaches noted, it is deemed that operations are not being carried out by staff who are appropriately trained and supervised. A root cause of the non-compliances noted in this report can be put down to a lack of training and awareness of permit conditions by staff on site.
Action: Ensure staff on site are suitably trained and are sufficiently aware of permit requirements to ensure that permit conditions can be met.

C2 – General Management – Management System and Operating Procedures. Permit Condition 1.1.6. (a) CCS Score C3.
It is evident from the way activities are undertaken on site and the several breaches of permit conditions, that operations are not being carried out in accordance with the management system. The management system states that once the maximum storage capacity of site is reached then no further waste will be accepted until waste can be removed from site. The management system also states that waste returns will be forwarded to Natural Resources Wales at intervals specified in the Permit. This has been recorded as route cause for non-compliances identified in this report. The Management system should be regularly reviewed to ensure that waste handling and storage procedures are adequate to ensure compliance with the permit.
Action: Ensure management system procedures are adequate and are implemented on site, in line with permit condition 1.1.6

C4 – General Management – Storage, handling, labelling and segregation. Permit condition 1.1.4 (table 1.1) & 4.6.1 (table 4.6 i). CCS Score C3.

Wastes are not appropriately stored within bays and containers as is required by permit condition 1.1.4. Almost all stockpiles on site are in breach of this requirement. Storage bays were full and materials were overflowing out of storage bays and sometimes mixing with other wastes on adjacent bays. This applies to; trommel fines stored near site gate, materials stored in bays beneath the picking line, mixed waste stored in bay behind trommel, mixed waste stored next to wood bay, wood waste storage area, and fridges / freezers stored in bays at far end of site. There were also loose wastes on the ground at various locations around the site, such as plasterboard stored next to the trommel, and materials that had fallen out of skips and containers. Also, refrigeration equipment should not exceed a maximum storage height of 2 fridge units high, as detailed in table 4.6.

Action: Ensure all waste on site is stored within skips and bays as required in the permit.

G4 – Monitoring and Records, Maintenance and Reporting – Reporting and Notifications to Natural Resources Wales. Permit Condition 6.2.2. CCS Score C4.
You were notified following the last inspection (22/06/2017) that Natural Resources Wales had not received waste returns for Quarter 4 (Oct – Dec) 2016 and Quarter 1 (Jan – Mar) 2017. You were required to submit these outstanding returns by 11th August 2017. These waste returns have not been submitted to Natural Resources Wales. Waste returns for Quarter 2 (Apr – Jun) 2017 are now also overdue.
Action: Submit all outstanding waste returns to Natural Resources Wales by 3rd November 2017 When submitting the returns please ensure that version 7.3 of the Natural Resources Wales waste returns spreadsheet is used. Completed returns should be e-mailed to waste.returns@naturalresourceswales.gov.uk

Natural Resources Wales will now serve a Regulation 36 Notice requiring these non-compliances to be

addressed.

During the inspection officers visited the adjacent non-permitted plot currently used for storing wastes under registered exemptions. As detailed above, skips containing mixed wastes were stored in this area. The waste exemptions registered only allow segregated wastes to be stored. It was also noted that the inert waste processor (crusher) is located in this area, although this was not operational at the time. The waste exemptions registered do not allow the processing of inert wastes, therefore any such processing needs to take place within the permitted area. Several other non-compliances with the conditions of the exemptions were noted in this area. These are detailed in separate correspondence.

Some of the waste storage practices on site raise concerns from a fire prevention perspective. Natural Resources Wales have recently updated the Fire Prevention & Mitigation Plan Guidance and this is available on the Natural Resources Wales website. Although there is currently no requirement for your site to have a Fire Prevention & Mitigation Plan in place, it is highly recommended that some of the good practice mentioned in the guidance is followed.

Of particular concern is the current stockpiling of combustible wastes, namely mixed waste and wood, in the middle of site. Two storage bays adjacent to each other in this area contain mixed waste (destined for disposal) and wood waste. Both storage bays were full at the time of inspection with wastes stored high above the bay wall height and spilling out of the bays. Chipped wood is also stockpiled next to the wood storage bay, on the exempt yard, in a manner that would not prevent the spread of fire from one stockpile to the other. Loose waste was also stored along the yard floor from these stockpiles across to the mixed waste stockpile behind the trommel. Again, this could facilitate the spreading of any fires between stockpiles. The guidance states that a minimum 1 metre freeboard should be left between waste and bay wall height. Please refer to the guidance for further guidance on how stockpiles should be stored and separation distances. The way materials are currently stored in the centre of site is effectively creating one large stockpile of mixed waste, unprocessed wood and woodchip.

Hazardous Waste (Wales) Regulations 2005:
As the producer (or holder) of hazardous waste you must register your premises with Natural Resources Wales. This applies if you produce more than 500kg in any 12 month period. You currently have WEEE stored on site that are likely to be regarded as hazardous waste. Our records show that the site is not currently registered as a hazardous waste producer. This producer registration number will be required in order to complete a hazardous waste consignment note when removing WEEE (or any other hazardous material) from site. You can register as a hazardous waste producer on the Natural Resources Wales website: https://nrwregulatory.naturalresources.wales/HazWaste

Please take note of the non-compliances recorded above and the actions required. If you would like to discuss anything mentioned in this report please contact Rhys Thomas on 03000 65 3765, rhys.thomas@cyfoethnaturiolcymru.gov.uk

Photographs:

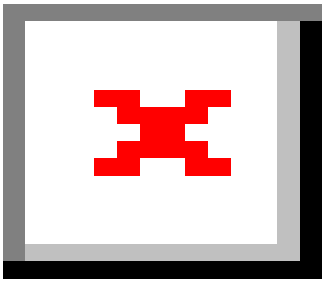


Photo 1: Wastes spilling out of storage bays beneath picking line.

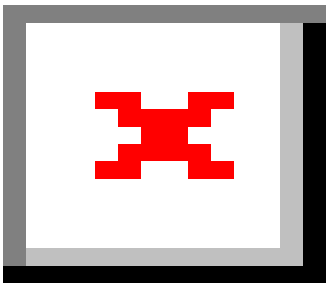


Photo 2: Mixed waste stockpile and loose stockpile of plasterboard.

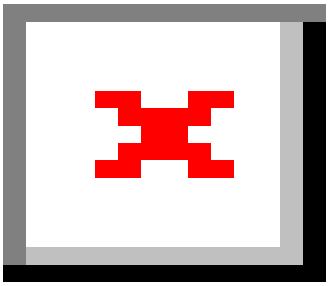


Photo 3: Mixed waste spilling out from storage bay.

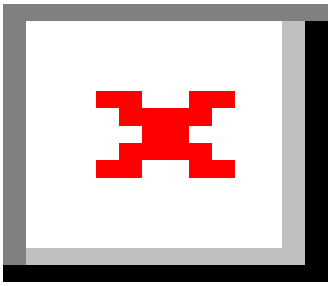


Photo 4: Trommel fines stored near site entrance, not contained.

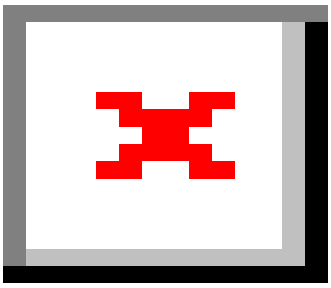


Photo 5: Material (trommel fines) stored outside permit boundary

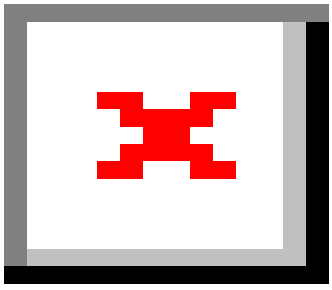


Photo 6: Wood not contained within storage bay.

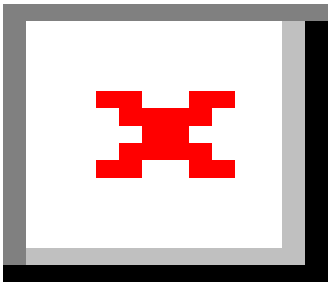


Photo 7: Refrigeration equipment not stored appropriately

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0032122**

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	22/08/2017

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			
G4	C4	Submit all outstanding waste returns to Natural Resources Wales by 6th November 2017. When submitting the returns please ensure that version 7.3 of the Natural Resources Wales waste returns spreadsheet is used. Completed returns should be e-mailed to waste.returns@naturalresourceswales.gov.uk	06/11/2017
A1	C3	Ensure all waste materials associated with permitted activities are stored within the boundary of the site permit or are suitably removed to an authorised facility.	06/11/2017
B4	C3	Ensure that refrigeration equipment (fridges / freezers) are stored in bays or containers that meet the requirements set out in table 4.6(i)	06/11/2017
C2	C3	Ensure management procedures are adequate and are implemented on site, in line with permit condition 1.1.6	06/11/2017
C4	C3	Ensure all waste on site is stored within skips and bays as required in the permit.	06/11/2017

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.