Cyfoeth Naturiol Cymru Natural Resources Wales

# Compliance Assessment Report

**Report ID: CAR_NRW0022685**

| 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 | 10/06/2016 | Time in | 10:25 | Out | 11:15 |
| Assessment type | Site Inspection | | | | |
| Parts of the permit assessed | As below | | | | |
| Lead officer's name | Thomas, Rhys | | | | |
| Accompanied by | | | | | |
| Recipient's name/position | Lee Jones/ Site manager | Date issued | 09/11/2016 | | |

## Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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 | A | |
| B5 - Infrastructure - Plant and equipment | A | |
| C1 - General Management - Staff competency/training | A | |
| C2 - General Management - Management system and operating procedures | A | |
| C3 - General Management - Materials acceptance | A | |
| C4 - General Management - Storage, handling labelling and Segregation | C3 | 1.1.4, 1.1.6 |
| D1 - Incident Management - Site security | A | |
| D2 - Incident Management - accidents, emergency and incident planning | A | |
| 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 | |

**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** | **2** | **Total compliance score** (see section 5 for scoring scheme) | 8 |
|---|---|---|---|

**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

Un-announced routine site inspection carried out by Environment Officer Rhys Thomas. Accompanied on site by TCM Lee Jones. Weather at time of inspection was dry and warm, with little or no breeze.

**<u>During the inspection the following non-compliances with permit conditions were noted:</u>**

**A1 Permitted Activities – Specified by Permit. Permit condition 1.1.2. CCS Score C3.**

At the time of inspection two skips containing mixed wastes were being stored outside of the permitted area, on the plot to the west of the permit boundary. This area of land does benefit from registered waste exemptions, however none of these exemptions allow the storage of mixed wastes. There was also a stockpile of trommel fines (EWC 191212) stored at this location, outside the permit boundary, which is also not authorised under any of the exemptions registered. This has been recorded as a CCS category 3 breach.

**Action:** Ensure that all waste material associated with permitted activities are stored within the permit boundary of the site, unless otherwise authorised and compliant with the registered waste exemptions.

**C4 General Management – Storage, Handling, Labelling and Segregation. Permit condition 1.1.6. CCS Score C3.**

It is a concern that operations on site do not appear to be being managed in accordance with the management system. Operating procedures are not being properly implemented which is leading to non-compliances with permit conditions and therefore posing a risk to the environment. This has been identified as a root cause to the other non-compliances identified within this report. It is evident that procedures relating to storage capacity, as specified in section 1.5.5 and 3.3.2 of the sites management system are not being followed. This has been recorded as a CCS category 3 breach.

**Action:** Ensure that staff on site are familiar with permit conditions and operating procedures set out in the Management System.

**C4 General Management – Storage, Handling, Labelling, Segregation. Permit condition 1.1.4 (table 1.1) CCS Score C3.**

During the inspection it was noted that a large amount of waste material is not being stored appropriately within skips or bays as required by the permit. There was a large stockpile of waste wood on site which was stored outside the designated storage bay. Items of loose mixed waste were also scattered between a bay wall and permit boundary fence on site. There was also a large amount of plasterboard and inert material stockpiled on site, overflowing from storage bays and mixing with each other. You must ensure

that levels of waste on site are kept at a level which can be reasonably managed and that wastes are appropriately segregated and stored to prevent risk of pollution. This non-compliance has also been brought to your attention during recent inspections. **Failure to comply with the actions specified could lead to further enforcement action being taken.**

**Action:** Ensure all waste materials are stored within designated bays and containers as specified within the permit. Any excess waste should be removed to a suitably permitted facility.

**Observations**

Site was busy at time of inspection with waste processing activities ongoing. Trommel was not operational during visit. It was noticeable that there was a large amount of waste material stored on site during the inspection. Some of this waste was not being stored appropriately as mentioned above.

During the visit no amenity issues relating to dust, odour, noise, litter or pests were observed.

The fencing along the western boundary of the site has fallen in some places. This is now an internal fence and does not serve as a security measure, however, the fence does still mark the boundary between the permitted area and exempt area. As previously mentioned there needs to be a clear distinction between the permitted site boundary and exempt area that is clear and obvious to inspecting officers. Please ensure that a distinct boundary is present and that wastes are not stored across this boundary.

Wastes were being stored in the exempt area, on the yard to the west of site. The wastes stored under exemptions in this area included; wood (shredded), green waste, plastics, inert material, cardboard, and pvc window frames. The amount of processed wood stored under the S2 exemption should not exceed 100 tonnes. Please ensure that you do not exceed this limit. You must also ensure that all wastes stored under the exemptions are secure and do not cause pollution to the environment (e.g. causing wind blown litter). Failure to comply with the conditions of the waste exemptions can lead to them being de-registered by Natural Resources Wales.

It was good to see that all flammable gas cylinders are now kept in one designated secure storage area, as recommended by Fire Service Officers following the last inspection.

A sample of waste transfer notes were reviewed in the site office. These were found to be compliant with duty of care requirements. It was good to see that the waste transfer notes now have EWC code tick boxes on them and that these were being used appropriately.

A brief discussion took place regarding applying for a permit variation to extend the permit boundary to include the plot of land to the west of site. This is currently being used by the operator for storing wastes under registered exemptions. Operator also discussed possibility of increasing the total annual tonnage as part of the variation. Links to the relevant variation application forms have been e-mailed separately.

It was disappointing to observe that there continues to be compliance issues relating to storage of waste on site, despite these issues being raised following recent inspections. Please ensure that every effort is made to bring operations back into compliance by the date specified, and that standards are then maintained. Failure to comply with the actions specified could lead to further enforcement action being taken.

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:

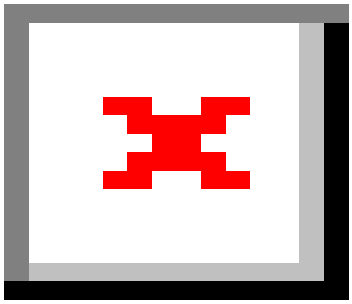


Photo 1: Showing waste wood not stored within the designated bay.

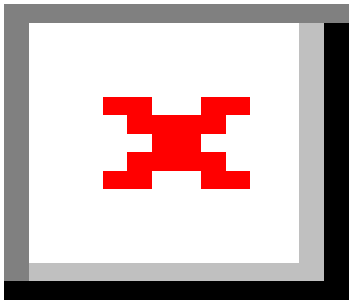


Photo 2: Plasterboard overflowing from storage bay, mixing with inert material.

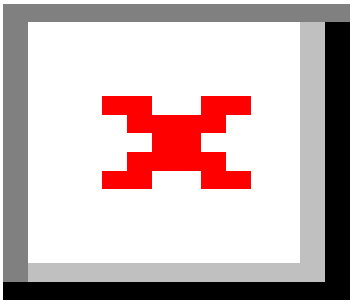


Photo 3: Loose wastes not stored in bays or containers.

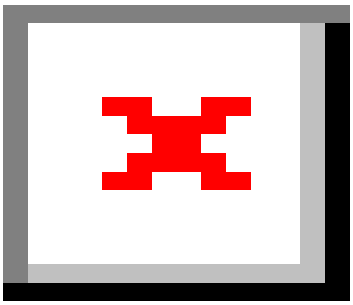


Photo 4: Skip containing mixed waste stored outside the permitted area.

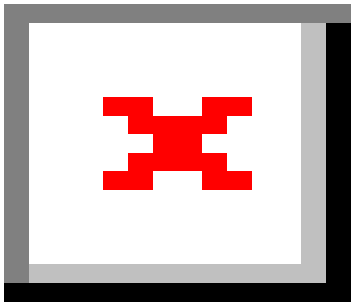


Photo 5: Trommel fines stored outside permitted area.

| Cyfoeth Naturiol Cymru Natural Resources Wales | **EPR Compliance Assessment Report** | **Report ID: CAR_NRW0022685** |
|---|---|---|

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 | 10/06/2016 |

## 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 | | | |
| A1 | C3 | Ensure all waste materials are stored within the permit boundary, unless otherwise authorised by registered waste exemptions. | 22/07/2016 |
| C4 | C3 | Ensure all waste materials are stored within designated bays and containers as specified within the permit. Any excess waste should be removed to a suitably permitted facility.<br>Ensure staff are familiar with operating procedures and that these are followed on site. | 22/07/2016 |

## 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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.