

Compliance Assessment Report CAR_NRW0039324

Permit being assessed: FB3390HM.

For: Griffiths Waste Solutions, held by Griffiths Waste Solutions (gws) Ltd

At: Haverfordwest, Pembs, SA62 4BW.

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

On 09/02/2022 between 10:00 and 10:45.

Parts of permit assessed: Compliance with Notice

NRW Lead Officer: Cathy Lloyd, accompanied by Alys Jones.

Report sent to: Mark Griffiths , Operator on 17/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D1 - Incident Management - Site security	C2 Significant	1.1.1

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

Total number of non-compliances recorded	Total non-compliance score
1	31

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
D1	Investigate break in and update EMS with required actions to ensure site is secure. Test newly deposited waste material to determine if it is hazardous	09/03/2022

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.

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

A prearranged meeting was carried out at Griffiths Waste Solution on the 9 February 2022. Cathy Lloyd, NRW, Alys Jones NRW, Mark Griffiths and GWS Gareth Danter Hill (TCM) attended. The purpose of the inspection was to see progress of the steps in the Regulation

37 suspension notice.

Site security

There were approximately 10 new deposits of waste mostly in the form of soil and stones. No waste is permitted to be accepted under the Regulation 37 suspension notice.

Mark Griffiths explained that there was a break in at the site and did not know the origin of the newly deposited waste.

This is a **Category 2 significant breach of condition 1.1.1 (a) of the Environmental Permit and noncompliance with the Regulation 37 suspension notice.**

Operations are not being managed in line with a written management system that identifies and minimises risk of pollution.

Please investigate the cause of the break in and provide any CCTV footage that may be available showing the duration the site was insecure and when the subsequent deposits of waste material occurred. Please update your EMS with steps you will take to prevent unauthorised access to the site.

Please test the newly deposited waste to determine if this waste contains hazardous material and send the test results to NRW.

Only a temporary repair has been carried out on the fence adjacent to residential properties. Metal to repair this fence was ordered in August 2021 but permanent repair has not been carried out.

Removal of waste from site

Mark Griffiths informed NRW that 1000T of construction and demolition waste has been removed from site. Please provide the Waste Transfer Notes showing the removal of this waste. Documentation showing the removal of waste has been requested in previous CAR forms and is also a one of the steps listed in the suspension notice.

There did not appear to any mixed waste removed from within the treatment building since the last inspection on 25 August 2021.

Waste Transfer Notes

During the inspection carried out on 25 August 2021 Mark Griffiths provided a waste transfer note showing inert waste being taken to Westfield Cottage. Please provide details of the authorisation for Westfield Cottage to accept this waste. This is an outstanding action requested in CAR NRW0038696

Assurances were made that copies of waste transfer notes for the removal of waste from site would be sent to NRW by 14 February 2022. To date, NRW has not received this documentation.

Regulation 37 Suspension Notice

The suspension notice remains active on site. All the listed steps for the notice must be

completed before the notice can be lifted. The timescales for each action in the notice were decided upon following an action plan submitted by Mark Griffiths on the 17 March 2021, in which he agreed to complete the work within the deadlines he provided.

Outstanding actions in the Regulation 37 Suspension Notice that are still required are:

- Permanent repair of the boundary fence adjacent to the residential properties
- Removal of mixed waste
- Provide WTNs for all waste removed from site

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.