

Compliance Assessment Report CAR_NRW0039901

Permit being assessed: LB3135AL.

For: I T Williams Ltd, held by I T Williams Co Ltd

At: Min Y Clwyd, Ruthin, Denbighshire, LL15 1NA.

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

On 06/04/2022 between 12:00 and 13:00.

Parts of permit assessed: waste returns, site security, site diary, drainage system, waste storage,

NRW Lead Officer: Boguslaw Pierzchala.

Report sent to: Tudor Williams, Owner on 10/05/2022.

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	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
C4 - General Management - Storage, handling labelling and Segregation	Action only (X)	
C4 - General Management - Storage, handling labelling and Segregation	Action only (X)	
C2 - General Management - Management system and operating procedures	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
0	0

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
B3	Please inspect the drainage system and notify NRW of your findings. Please comply by the 21st of June 2022.	21/06/2022
C4	Please ensure that mattresses are stored as required by the	13/05/2022

Criteria	Action needed	Complete by
	afore-mentioned condition. Please comply by 13th of May 2022	
C4	Please ensure all waste gas cylinders are placed in a lockable cage until removal from site. Please comply by the 27th of May 2022	27/05/2022
C2	Please review and update the site's Environment Management System. Please comply by 31st of August 2022.	31/08/2022

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

On Wednesday the 6th of April 2022 an unannounced site inspection was carried out by Boguslaw Pierzchala, new regulating officer for the site, and Lyndsey Rawlinson, Head of North East Wales Operations.

The weather conditions on the day of inspection were clear, however, it was raining prior to inspection and the ground was wet.

The officers were greeted by Ffion Jones, site manager and TCM, and Tudor Williams, site owner. Both accompanied the officers throughout the inspection.

Officers were asked to sign in.

The site is split into two permitted areas:

One area has a bespoke Tier 3 permit (BP3794FA) for a household, commercial and industrial waste transfer station

The second has a standard rules permit (SR2012No12) (LB3135AL) that allows the treatment of waste to produce soil, soil substitutes and aggregate.

This inspection form covers both permitted sites.

Several sections of this CAR form relate to both areas including site security, site diary and waste transfer notes.

LB3135AL Standard rules permit

The site used to produce aggregates from treating inert waste following the WRAP Aggregate

Quality Protocol (QP). At the moment these operations are not taking place.

The general area where the waste materials are stored was mainly tidy. However, there is an ongoing clearance operation which seems to impact the way the waste is stored on site at the moment.

Officers saw a number of oily parts being stored on site. These were not waste. However, because of the risk of pollution, these should be stored indoors or in a weatherproof container.



There were also batteries stored outside. They too were not waste, but batteries must be stored indoors in a spillage proof container.



There were large puddles in various parts of the yard (see Photos below).

Site drainage

Environment Management system condition 2.9 Drainage

As Photos show, the area is not draining properly, and I would suggest that you look into improving the drainage in this location to reduce the risk of pollution the nearby watercourse.

The site drainage was discussed with Mr Williams who stated a member of staff, who was not available at the time of inspection, would be able to provide more details.

Action: Please inspect the drainage system and notify NRW of your findings. Please comply by the 21st of June **2022**.



Gas cylinders

Some gas cylinders were present on site. These are not permitted waste, they should be stored securely in a lockable cage and removed from site.

Action: Please ensure all waste gas cylinders are placed in a lockable cage until removal from site. Please comply by the **27th of May 2022**

Rejected waste

Rejected waste was discussed with Mr Williams and as per condition **2.8.3** of the site's Environment Management system clearly labelled enclosed skips/containers will be provided for the deposit of rejected waste.

Environment Management System

The version we currently have on record is Version 1.2, dated 12th September 2012. Due to the age of this document and the changes that the site has undergone, and is still undergoing, it would be worth reviewing it to ensure it is fully up to date.

Action: Please review and update the site's Environment Management System. Please comply by **31st of August 2022**.

Once updated please send a copy to me so that I can ensure the most up to date version is on our files.

Waste Returns

Waste returns were discussed as it was noted that more waste was being removed from the site than had been received. Ffion clarified that the site is currently being cleared which makes the output of waste greater. This may also be the case throughout 2022 until the site is cleared.

Waste Return Review

A review of the waste returns submissions for permit **EPR-LB3135AL** has been completed for 2021. I am pleased to report that no issues were found on this occasion.

Site security

The site benefits from a number of CCTV cameras to which the site management has remote 24hrs access. There is also an ANPR system in place. The main gate is securely locked when the site is unoccupied. The site is fitted with suitable fencing.

Waste transfer notes

A sample of waste transfer notes was checked, no issues were found.

Site diary

Site diary was inspected and no issues were found. Officers were made aware that the site operates an online diary as well, which improves record keeping by allowing staff members to access and modify it remotely.

Bespoke Tier 3 permit (BP3794FA)

The site looked generally well managed. No major issues were identified.

Storage of bulky waste

The officers saw several mattresses stored outside a container, piled up above the required height.

Condition **1.6.7** of Environment Management System:

Stockpiling of waste will be limited by the height of the storage bays. Potential combustible waste will be stored at least a metre below the height of the container bay wall to minimise the spread of any fires.

Action: Please ensure that mattresses are stored as required by the afore-mentioned condition. For immediate compliance.



Waste Return Review

1.A review of the waste returns submissions for permit **EPR-BP3794FA** has been completed for

2021.

I am pleased to report that no issues were found on this occasion.

Thank you for your time during the inspection.

Should you wish to discuss this form or your permit, please contact Boguslaw Pierzchala

Boguslaw.pierzchala@cyfoethnaturiolcymru.gov.uk.

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.