

Compliance Assessment Report CAR_NRW0040041

Permit being assessed: CB3237AP.

For: Gwynedd Skip And Plant Hire Ltd, held by Gwynedd Skip And Plant Hire Ltd

At: Lon Hen Felin, Cibyn Ind Est, Caernarfon, Gwynedd, LL55 2BD.

Type of assessment carried out: Audit, Reason: Routine.

On 23/05/2022.

Parts of permit assessed: The CAR sub criteria listed below

NRW Lead Officer: Cathrine Kiely.

Report sent to: Stacy Pritchard, Managing Director on 28/06/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Action only (X)	
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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
A1	Revise the EMS to include (a) proposals for sampling & testing of process outputs for sulphate and (b) details of how staff will be trained in the gypsum procedures	25/07/2022
A1	Review your written sampling & testing plan, to address the points in the details box below.	25/07/2022

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

The wording in this CAR form is provided by Iain Storer, an Officer from the Environment Agency who conducted the audit on site on the 14th February 2022.

This CAR form includes key points and actions and the full Environment Agency review following the audit has been provided to you in a separate letter.

Gypsum management procedure

I have reviewed your revised EMS submission (Revisions to Environmental Management System: Waste Pre-Acceptance, Acceptance and Rejection Procedures, April 2022), only in so far as it concerns the management of gypsum-bearing wastes.

Your revised procedures have been reviewed against the requirements of Action 1 in CAR NRW0039477.

How you identify customers who may produce gypsum containing wastes - this is satisfactorily addressed in Section 1

How gypsum containing waste is kept separate from other waste streams - this is satisfactorily addressed in Sections 2, 3 & 4.

How you train your staff - this is not addressed.

Your acceptance checks for gypsum waste / how you remove and separate gypsum from mixed loads - this is satisfactorily addressed in Section 2

How you ensure biodegradable waste you send to landfill does not contain gypsum - you have satisfactorily set out the pre-acceptance and acceptance checks you will perform to keep gypsum separate (see above) before any processing. You have also indicated how further visual checks will be undertaken during and after processing. We also expect operators to include routine sampling & testing of process outputs for total sulphate, to determine how effective those measures are.

How you meet your duty of care responsibilities / outlets for plasterboard - this is satisfactorily addressed in Section 5.

The EMS submission is not yet approved – revise the procedure to include (a) proposals for sampling & testing of process outputs for sulphate - you will also need to consider how you will interpret your sulphate analysis results to determine the extent to which plasterboard contamination is entering mechanical treatment processes; and (b) details of how staff will be trained in the gypsum procedures. Resubmit for review by **25/07/2022**

All other aspects of the procedures are acceptable and should be implemented straight away.

Sampling & Testing Plan

Your submissions have been reviewed against the requirements of Action 2 in CAR NRW0039477 in so far as they relate to fines outputs. They comprise:

1. Assessment of Soils Received on Site and, Fines Produced From Processing of Waste, April 2022;
2. Interim Sampling Plan, April 2022.

You have set out a method for obtaining representative samples, to cover different periods throughout the day and to include both fines from below the trommel screen and any external stockpile awaiting disposal. You have not set out who will conduct the sampling and any training they will receive.

You have proposed obtaining 2 composite samples per 400 tonnes produced. With the sampling frequency to be reviewed after assessment of data from 6 rounds of sampling.

You have not confirmed what test parameters will be assessed. For wastes of this type we expect as a minimum:

- Heavy metals, including arsenic, cadmium, chromium, hexavalent chromium, mercury, nickel, selenium, copper, lead and zinc.
- pH
- Speciated or total hydrocarbons (TPH) and speciated polycyclic aromatic hydrocarbons (PAH).
- Screening for asbestos – including identification (especially if visible fragments) and quantification if asbestos fibres detected.
- In addition to these parameters, sulphate total (acid soluble rather than water soluble) and Loss on Ignition (LOI) should also be considered to aid demonstrating your waste is not contaminated with gypsum and meets low-rate landfill tax wastes where all other appropriate requirements have been met.

You have not confirmed how analytical results will be assessed, or by whom.

Action required: review your written sampling & testing plan, to address the points above.
Resubmit for review by **25/07/2022**

Paperwork Review

The following was identified during this phase of the audit:

- Records produced for plasterboard removal confirm that little if any plasterboard was separated from the mixed waste inputs to site as opposed to the transfer of source-segregated plasterboard inputs. This supports the conclusion that plasterboard is contaminating fines/treated waste you produce from operations.
- You were not able to produce a robust written sampling plan for your mechanically treated wastes. So whilst you did provide some test results for 'qualifying fines', there is insufficient data to demonstrate that any EWC 19-12-12 wastes you produced during the period 1 November 2020 – 1 November 2021 could be accurately classified with a non-hazardous mirror waste code: Where a robust assessment has not been completed, [WM3 guidance](#) states that waste streams with mirror waste codes must be classified with the hazardous waste code: in this case, this would be EWC 19-12-11*.

- It has been concluded that trommel fines transferred from the site are being misdescribed as “qualifying fines”. They do not meet the criteria for qualifying fines.

Duty of Care Assessment

Duty of Care Paperwork

The following actions are required to ensure your duty of care paperwork includes all required information:

1. All duty of care paperwork must have an accurate written description of the waste stream
2. You must ensure that you record the container type (e.g. type of vehicle) on all duty of care paperwork
3. The time and date of transfer should be recorded on all duty of care paperwork
4. You must ensure that there are signatures recording the transfer of the waste from each party on duty of care paperwork

Duty of Care Paperwork requirement: you must include an accurate description of the waste when it is transferred to another person

When you transfer waste to another person, you must ensure that a written description of the waste is agreed and signed by you and the next holder. This description is important in ensuring that all parties involved in the transfer meet their duty of care.

Regards,
Cathrine Kiely

Senior Officer, Waste Regulation NW
cathrine.kiely@cyfoethnaturiolcymru.gov.uk

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.