

Compliance Assessment Report CAR_NRW0040243

Permit being assessed: AB3097ZB.

For: Unit A6, held by C & A Asbestos Removal Ltd

At: Zone 3, Cibyn Ind Est, Caernarfon, LL55 2BD.

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

On 19/07/2022 between 10:20 and 11:30.

Parts of permit assessed: see below

NRW Lead Officer: Daniel Grant, accompanied by Beth Bentley.

Report sent to: Mr Andrew Owen, Director on 16/08/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C4 No impact	2.2.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
1	0.1

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	Remove the waste wood from the permitted site boundary. Should you wish to continue accepting waste wood, please register a waste exemption or vary your permit in order to authorise this waste activity.	26/08/2022

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

This was a routine unannounced inspection carried out at 10:20 am by Daniel Grant (Hazardous Waste Regulation Officer), accompanied by Beth Bentley (Tackling Waste Crime Officer).

Weather conditions were sunny and hot with some cloud coverage.

The purpose of the visit was to carry out a site inspection as well as request documents to begin a cradle to grave audit at the site. An audit report for this cradle to grave audit will be sent to you separately.

Present on site were Andrew and Lorraine Owen (Directors) and officers were accompanied around the site by Andrew Owen. Officers signed into the site using the sign in book.

A single (40 yard) enclosed, locked skip was placed on the site's impermeable surface (Figure 1). This surface benefits from a lip around the edge and a drain in the corner which flows directly into the site's sealed drainage. It was explained that this drain is contained by a filter mechanism which entraps any asbestos fibres should there be a spillage incident. These details were also confirmed by Daniel Grant via e-mail following the last visit to site.

Officers inspected the inside of the skip and saw that all asbestos waste was appropriately double bagged (Figure 2)



Figure 1. Locked and labelled asbestos waste skip stored on an impermeable surface



Figure 2. Double bagged asbestos waste inside the secure skip

Other containers located within the permitted site boundary were requested to be opened. A container storing waste wood that had been collected from previous removal jobs had been identified. We should remind you that as per the Waste Framework Directive, waste is defined as "any substance or object which the holder discards or intends or is required to discard". Therefore, in this case as the original owners discarded of the wood it should be considered as waste wood.

It is important to note that your permit only allows the storage of asbestos waste (17 06 01*/ 05*). Therefore, this finding is non-compliant with the following condition:

Condition 2.2 Waste Acceptance- 2.2.1 Waste shall only be accepted if: (a) it is of a type and quantity listed in table 2.2 below.

Table 2.2 only includes:

- insulation materials containing asbestos (17 06 01*)
- construction materials containing asbestos (17 06 05*)

It was discussed on site whether the waste wood could be stored under a waste exemption, the following waste exemption could be considered, however, please be aware that any waste exempt activity should be

carried out separately to the activities carried out under your permit at your site:

<https://www.gov.uk/guidance/s2-waste-exemption-storing-waste-in-a-secure-place>

Alternatively, should you want to vary your permit to include any further waste types you can find further information here:

<https://naturalresources.wales/permits-and-permissions/waste-permitting/apply-for-a-waste-permit/apply-to-vary-change-a-permit-for-waste-operations/?lang=en>

However, since the time of writing this report Mr Andrew Owen has confirmed that the was wood has since been removed from the permitted site boundary. Therefore, thank you for your compliance and cooperation with this matter.

During the last on-site inspection carried out on the 3rd of February 2020 it was explained that TCM coverage was being carried out by suitably qualified Mr Ryan Holland (Thomas Daniels Consultants) and Mr Holland's certificates were received by NRW at the time. During this inspection officers inspected the sign in book, and this demonstrated that Mr Holland was visiting approximately once or twice a month. Officers also inspected the last site inspection report produced by Mr Holland during the latest visit on the 16/7/22. This demonstrated that Mr Holland was inspecting waste and waste storage as well as other general site checks.

To summarise, a single non-compliance with the following condition was noted during the site inspection:

A1- specified by permit - Permit Condition 2.2.1,

As a result, the following score has been applied:

Compliance Classification Scheme Category 4 breach.

Action- Remove the waste wood from the permitted site boundary. Should you wish to continue accepting waste wood, please register a waste exemption or vary your permit in order to authorise this waste activity.

Could you please provide us with an update to this matter by the 26/08/22

Officers left site at 11:30am

If you have any questions about the content of this report, please do not hesitate to contact me.

Regards,

Daniel Grant, Hazardous Waste Regulation Officer

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.