

Compliance Assessment Report CAR_NRW0041630

Permit being assessed: FB3734RP.

For: P M Dromgoole & Sons Agricultural Ltd, held by P M Dromgoole & Sons Agricultural Ltd

At: Broughton Cottage Farm, Mold Road, Nr Mold, Flintshire, CH4 0EW.

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

On 22/03/2023 between 14:30 and 16:00.

Parts of permit assessed: Waste Acceptance, Reporting to Natural Resources Wales, Management System & operating procedures, 'Specified by permit'

NRW Lead Officer: Sarah Walton.

Report sent to: Martin Womack, Technically Competent Manager on 31/03/2023.

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)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C3 - General Management - Materials acceptance	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
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	Ensure regular estimates of waste storage volumes are made and that this information is readily available.	07/04/2023
C2	provide a copy of site procedures, which evidence how the site meets WRAP Quality Protocol for aggregates from inert waste. Include evidence of testing for each product type.	14/04/2023

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

A routine site inspection took place on Wednesday 22nd March 2023. Waste Regulation Officer Sarah Walton, met on site with Steve Amos, Paul & Mike Dromgoole.

The weather was sunny and breezy at the time of the inspection. The site was busy with a steady flow of wagons in and out of the site.

The inspection began with a discussion in the site office about operations since the previous inspection.

Permit Condition 1.1.1, EMS condition 1.5.6 A storage total will be calculated using estimates and skip volumes and weighbridge tickets from waste leaving the site to ensure compliance.

It was noted on the previous CAR form, that site was not aware of waste storage totals on site at the time of inspection.

The site did not have this figure to hand at the time of this inspection. It is important that the site keeps track of ingoing and outgoing wastes on a regular basis, to ensure that permit limits and waste storage totals are complied with. This will also assist compliance with EMS condition 1.5.5 regarding maximum storage totals for different waste types.

As an action, please ensure that site complies with EMS 1.5.6 through forming regular estimates of inert waste storage totals and that this information is readily available.

Permit Condition 4.2.2 Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

A review of waste returns was completed prior to the site inspection.

Thank you for submitting all Waste Returns for 2022. Across 2022, the site accepted 65,319 tonnes of waste and removed 1,909.5 tonnes.

5 different waste codes were accepted:

170101: Concrete

170102: Bricks

170302: Bituminous mixtures

170504: Soil and stones

200202: Soil and stones

No issues were found on this review.

The majority of incoming waste ends up leaving as a product. This includes 6F2, 'Mid Size' and Sand.

Steve explained that waste is treated to a WRAP Quality Protocol and that he oversees the Factory Production Control. It was explained that site investigation reports were required before the acceptance of waste streams.

Some analysis was observed, including some testing for BS1377-2 Grade 1A class fill. No documentation was available at the time to evidence this process but Steve explained this was emailed over following the last inspection. Having reviewed the information, there were no procedures included to evidence how inert waste streams are treated to WRAP Quality Protocol.

As an action, please provide a copy of your procedures, which evidence how your site meets WRAP Quality Protocol for aggregates from inert waste. Include evidence of testing for each product type.

A walk around the site was completed with Paul Dromgoole.



Photograph showing inert waste storage

Paul explained that waste comes into site and is tipped on the left hand side where clay and some large pieces of concrete are removed.

**Photograph showing treatment of inert wastes**

Inert waste is first of all screened which generates soil, soil & small stone and larger rubble. Material then goes on to be crushed to make a '6F2' product.

Once back at the site office, a handful of Waste Transfer Notes were viewed, which all seemed to be completed fully.

The site inspection concluded around 4pm. Thank you to all staff who assisted.

Should you have any queries, please do not hesitate to get in touch.

Kind Regards,

Sarah Walton

Waste Regulation Officer

Email: sarah.l.walton@cyfoethnaturiolcymru.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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.