

Compliance Assessment Report CAR_NRW0042299

Permit being assessed: BP3396SL.

For: Williams Plant Hire Ltd, held by Williams Plant Hire Ltd

At: Aberbechan Wharf, Newtown, Powys, SY16 3AW.

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

On 04/07/2023 between 14:35 and 15:11.

Parts of permit assessed: Permitted Activities, Infrastructure

NRW Lead Officer: Liz Park.

Report sent to: Keith Williams, Operator on 17/08/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D2 - Incident Management - Accidents, emergency and incident planning	C3 Minor	3.5.1
A1 - Specified by permit	C3 Minor	2.1.1

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

Total number of non-compliances recorded	Total non-compliance score
2	8

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
D2	Complete and provided evidence to NRW that the Fire detection and alarm system has been fully installed. And review and update the FPMP.	17/09/2023
A1	Move all skips containing waste onto an impermeable surface with sealed drainage system within a building	17/09/2023

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.

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

Liz Park arrived at Williams Plant Hire Ltd to undertake an unannounced compliance visit. At the time of the visit the weather was hot and dry. Liz met with Keith Williams (Operator and TCM). The purpose of the visit was to check compliance with a Regulation 36 Notice to comply with Permit conditions for the installation of a firewater quarantine tank, and the fire detection and alarm system. Liz and Keith walked around the site.

Skips of waste on site.

There remains 11 skips of waste containing mixed wastes accepted under the permit ready for sorting, and several other skips containing waste following the sorting of waste such as aluminium and plastic, which are being stored without the benefit of an impermeable surface with sealed drainage, and not inside a building. However, there are less than when Liz visited on 15/03/2023.



Skips of mixed waste on unmade ground

The green waste had been removed from site.

The ongoing non-compliances with the permit conditions was discussed with Keith Williams. Liz Park went through the permit conditions and outlined the options which included extending / providing a new building, reducing the amount of waste accepted that can be managed by the current infrastructure, or putting in an application to vary the permit. Keith is in the process of discussing the permit with his consultant. Whilst the variation in September 2020 bought the treatment of inert waste into regulatory control and extended the permitted area, the compliant infrastructure is not sufficient **All the permit conditions must be complied with whilst deciding on how to proceed**

Provision of storage tank for the containment of fire water

This has now been installed and is connected to the drainage system for the transfer building.



Inspection chamber for tank

Provision of Fire detection and alarm system to UKAS specification

The work on installing this system is nearly complete. Keith has installed wiring for the system from the office to the transfer building. The company installing the system has put in the board for the control system, and the detectors in the roof of the transfer building. Unfortunately they were unable to complete the installation due an incorrect part.

Technical Competent Manager - Continuing Competency

A copy of Keith Williams continuing competency certificate has been provided.

The following non-compliance were identified:**D2 - Accidents, emergency and incident planning - Permit Condition 3.5.1 - CCS Cat 3**

The tank for the firewater has now been installed however the site is continuing to not manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention and mitigation guidance.

Non-hazardous waste in skips continues to be stored on unmade ground, and in the event of a fire, firewater would not be contained. Please also see A1 - Permitted activities.

NRW have not received an updated FPMP for assessment following the review by NRW as detailed on CAR_NRW0041560.

Action - Review and update FPMP and submit a copy to NRW for assessment by 17 September 2023.

Action - Provide either photographic evidence or email from the supplier of the Fire alarm system to demonstrate the completion of the installation of the detection and alarm system by 17 September 2023.

A1 - Permitted activities - Permit condition 2.2.1, Table S1.1, Section A1 - CCS Cat 3

Permit condition 2.2.1 requires all non-hazardous waste to be stored and treated on an impermeable surface with a sealed drainage system and the storage and treatment of all non-hazardous waste to be carried out inside a building. It is acknowledged that there are fewer skips than on the 15 March 2023. However you have received this non-compliance as waste including skips of mixed unsorted waste continue to be stored outside the building on unmade ground.

Please note this also includes the storage and shredding of 15 01 03, 17 02 01 19 12 07, 20 01 38 and 20 02 01. The permit does not permit the storage and treatment of these waste outside of a building. It is noted that there was no green waste on site at the time of the visit. Keith Williams was reminded that this waste must be stored and treated inside a building.

Action - remove all non-hazardous waste currently stored outside the buildings on unmade ground and store in accordance with permit condition 2.2.1 inside a building on impermeable surface with sealed drainage by 17 September 2023.

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.