

Compliance Assessment Report CAR_NRW0042532

Permit being assessed: CB3091ZE.

For: Bryncir Quarry, held by Cambrian Services Limited

At: Bryncir Quarry, Llecheiddior, Uchaf Bryncir, Garndolbenmaen, LL51 9LX.

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

On 06/09/2023 between 10:54 and 11:26.

Parts of permit assessed: As below.

NRW Lead Officer: Leon Williams.

Report sent to: Sam Higgitt, Environment Manager on 29/09/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1, 1.1.3
C3 - General Management - Materials acceptance	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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
1	4

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
C2	Amend the site EMS to include further information regarding waste storage and incident/reporting procedures. Ensure that a copy of the site EMS is available for inspection on site.	01/11/2023
G2	Provide information regarding how concrete waste is being treated and used at Bryncir Quarry.	01/11/2023

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

This was an unannounced routine site inspection conducted at Cambrian Services Limited, Bryncir on the 6 September 2023 by NRW Senior Waste Regulation Officer, Leon Williams and Tackling Waste Crime Officer Ricky Hartleb.

We were accompanied by Site Supervisor, Patrick Booth.

This was the first visit to the site for Leon Williams who is now the new Regulating Officer and contact for the site.

The weather was dry and sunny at the time of the inspection.

Treatment and use of concrete waste

The only ongoing waste activity at the time of this inspection involved the storage of a small amount of concrete waste within the green annotated area as referenced by the site plan.

Patrick Booth explained that this type of waste is generally crushed on site and used to repair the tracks located around the quarry. It is currently unclear whether the concrete waste is treated in accordance with a suitable quality protocol to produce an aggregate or whether the concrete is treated outside the scope of a quality protocol. Currently there is no exempt activity registered at Bryncir Quarry to permit the re-use of inert wastes as part of construction or engineering work.



NRW requests that Cambrian Services Limited provide additional information regarding the treatment and use of concrete waste at Bryncir Quarry to include:

- Description of the treatment processes.
- Relevant testing documentation for all treated concrete waste.
- All additional supporting records relating to this activity.

Management system and operating procedures

Site staff were unaware and unable to present NRW with a copy of the sites Environmental Management System (EMS) at the time of the inspection.

Please ensure that all staff are familiar with the site EMS and that a copy of the document is available for inspection on site.

A copy of Cambrian Services Limited's Environmental Management Plan (EN-f-016) was sent to NRW via email on the 11 September 2023.

Upon review of this document there are insufficient written procedures regarding waste storage specifically outlining:

- storage times and procedures to ensure that these are not exceeded.
- maximum storage capacities for specified storage areas and the facility as a whole and procedures to ensure that these capacities are not exceeded.
- maximum storage heights to prevent or minimise the emission of dust, litter and throughput management.
- procedures to segregate incompatible wastes for example use of appropriate separation distances and or suitable engineering measures.

In addition, there are no written procedures outlining steps for reporting and notifying incidents at Bryncir Quarry as outlined by permit condition 4.3.

We would recommend the company reviews the guidance document: How to comply with your environmental permit and update the Environmental Management Plan accordingly.

The existing site Environmental Management Plan is insufficient and a CCS Category 3 score has been recorded against permit condition 1.1.1 for this non compliance.

NRW are currently reviewing procedural documents - En-f-003 -Factory Production Control and En-f-002 Quality Protocol and we will provide comment on these in due course.

Diolch yn fawr

Leon Williams

Senior Waste Regulation Officer

Email: leon.williams@cyfoethnaturiolcymru.gov.uk

Post: Natural Resources Wales, Maes y Ffynnon, Penrhosgarnedd, Bangor, Gwynedd, LL57 2DW

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.