

Compliance Assessment Report CAR_NRW0042591

Permit being assessed: QP3394FB.

For: Dirtbusters Mini & Midi Skips, held by Leslie Smith

At: Unit 1 Gallahgers Yard, Foryd Bank, Green Avenue, Kinmel Bay, Conwy, LL18 5ET.

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

On 05/10/2023 between 11:42 and 12:35.

Parts of permit assessed: see below

NRW Lead Officer: Daniel Grant, accompanied by Sarah Walton.

Report sent to: Mr Leslie Smith, Permit holder on 24/10/2023.

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)	
C2 - General Management - Management system and operating procedures	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)	

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?

No action required.

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

This was an unannounced visit carried out on Thursday 5th October 2023 by Natural Resources Wales officers Daniel Grant (Hazardous Waste Regulation Officer) and Sarah Walton (Waste Regulation Officer).

The purpose of the visit was to undertake a general site inspection. In addition, as this was officer Daniel Grant's first visit to the site, this was mainly a familiarisation visit.

Officers were accompanied around the site by Mr Leslie Smith (permit holder)

Weather conditions throughout the audit was overcast but dry.

Discussions initially took place within the site office with Molly who was running the reception in Emma Smith's absence. Officers asked to see copies of the site's Management System and Fire Mitigation Plan. These were retrieved and electronic copies requested for our records. Emma Smith sent copies of both these documents to Daniel Grant on the 09/10/23. Thank you for your compliance with this matter.

It was explained that John Haddock is currently the technical competent manager on site who holds the required WAMITAB qualification. Officers inspected some maintenance checklists completed by John. In order to ascertain that John holds the relevant qualification requirements, officers requested that copies of the certificate was sent to NRW for inspections. These were sent by Emma Smith on the 09/10/23. Thank you for your compliance with this matter.

Site inspection

Officers proceeded with Leslie on to site to carry out the inspection.

The whole site benefits from an impermeable surface which was in good condition and was kept clean and tidy (Figure 1).



Figure 1. Site yard

The shed has recently been installed on the yard as can be seen in Figure 1. It is understood that the shed will be extended soon to cover a larger area. When this has been completed, please ensure this is reflected in your site management plan.

During the visit waste was brought on to site and officers were able to inspect the processing of waste. This was done very efficiently with plenty of staff members carrying out specific duties to ensure that the mixed waste was properly sorted and segregated in a timely manner. In addition, staff members working on the yard also showed great attention detail in regard to sweeping the yard down and keeping it as clean as possible.

The main concern that was discussed during the visit was the separation of waste between different permitted sites. At the time of the visit Dirtbusters yard was only separated by a fence line and some sheets between Allen and Smith Metal Recycling. Although at the time the current method of separating was sufficient to some extent it was clear that as the waste on site would grow that a better method of separation would need to be considered. Officers raised concern over this at the time with Leslie and a resolution was agreed which would include the installation of more permanent structures in the form of concrete blocks between both sites. A timeframe of one month was agreed. Despite this, officer Daniel Grant has already received a photo demonstrating that the blocks have been installed on site on the 09/10/23. Furthermore, on the 12/10/23 another photo was sent from Allen and Smith Recycling showing that the rest of the area between both sites had been separated by sleepers and steel girders. This is compliant with Schedule 2 of your permit that requires you to ensure that:

"All fixed bays and other fixed containers used for the storage and treatment of wastes must be constructed and maintained to a standard that is fit for purpose"

Thank you for your compliance with this matter, it is very reassuring to see the urgency and attitude towards wanting to comply and cooperate.

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

Yours sincerely

Daniel Grant

Hazardous Waste Regulation Officer

E-mail: daniel.grant@naturalresourceswales.gov.uk

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.

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.