

Compliance Assessment Report CAR_NRW0042635

Permit being assessed: CB3596CC.

For: The Old Coal Yard, held by SOS Plant Hire Ltd

At: Park Road, Rhosymedre, Wrexham, Wrexham, LL14 3AX.

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

On 16/10/2023 between 13:15 and 13:55.

Parts of permit assessed: 1.1 3.1

NRW Lead Officer: Ian Thomas2, accompanied by Eleanor Pierce.

Report sent to: Sean O'Sullivan, Owner on 06/11/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D1 - Incident Management - Site security	Action only (X)	
F5 - Amenity - Deposits on road	Action only (X)	
B4 - Infrastructure - Containment of stored materials	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
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
D1	Review the site security to prevent access from members of the public	01/02/2024
F5	Possibility of wheel wash system to be installed	01/02/2024
B4	Secondary containment required for IBC on site.	01/02/2024

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

This was an unannounced site inspection following a variation to the site permit. I was accompanied on the visit by waste officer Eleanor Pierce.

The variation is due to more land being added to the permit. On arrival we were met by the owner and director of SOS Plant Hire Ltd, Sean O'Sullivan. Mr O'Sullivan accompanied us and explained the changes in the permit boundary and the workings of the site.

There is a small gradient entering the site, where the main office is situated and next to the weighbridge. Further along the site is the older area consisting of multiple outbuildings. These are used as storage and for maintenance of plant machinery and vehicles.



It was noted that in this area there were a few IBC containers located. Mr O'Sullivan explained these were used to store oil which is used in the maintenance of plant machinery and vehicles. Also, older oils were stored and then disposed of via tankers. The ground in this area is hardstanding but there looked to be a small amount of oils on the ground. Advice was given that a dedicated area is required to house the oils and to be bunded to ensure any spillage is contained. This has been logged as an action.



Photo showing multiple IBC on site.

The site runs alongside a railway track and an area to the left-hand corner has been excavated to give more working area. The new area of the site is to the right as outlined in schedule 7 of the permit. It is a substantial addition and is being used to park some plant machinery, and the storage of waste ready for treatment to produce soil, soil substitutes and aggregate. No hazardous waste is accepted.

The boundary next to the railway is not secured at the present time, this gives full access to the site. There is substantial CCTV present, and Mr O'Sullivan stated he had contacted the rail authorities to establish the responsibility of fencing the boundary next to the rail tracks. This is recorded as an action going forwards.



Boundary running next to rail tracks.

Mr O'Sullivan showed us to the office where Waste transfer notes and relevant paperwork were stored. All looked to be in order at the time of the visit. Waste returns were checked prior to the site visit. These were up to date, and the next quarter Waste Returns were also ready to be submitted.

Given the time of year, it was noticed that upon entering and leaving the site, the main road running outside, the B5605, a small amount of debris could be seen which is being carried by HGV vehicles. In conversation Mr O'Sullivan mentioned he was planning to install a wheel wash on the site to minimise the debris being carried onto the carriageway. Please supply NRW with a timescale if this option is being implemented.



New section added to permit.



Action**Review the site security to prevent access from members of the public.**

Please forward correspondence with Network rail and confirmation of agreement for fencing along the boundary next to rail tracks. Required to limit any public access onto site, and a timescale for the works to be completed. The subject of site security was highlighted on CAR form NRW0040174 with a completion date of **30/9/2022**.

If you produce, import, carry, keep, or dispose of waste you have a legal responsibility for this waste, this includes safe storage and protection of human health. This is part of your Duty of Care. Failure to address the action of site safety may result in a score issued against the permit. A date of 1st February 2024 to follow up completion of works.

Action

Relating to the storage of oil in IBCs. In section 3.1.3 of the permit, it is stated that: -

All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

Containment area for IBCs required to comply with permit conditions.

Action

It is understood that the road conditions outside of the site are dependent on weather, and the proposed wheel wash facility within the premises is a way to ensure debris from the site does not impact the road. Please keep NRW updated with plans for such a facility. Please note, you may need to consider water supply and disposal of dirty water in the correct manner.

Thank you for assisting us with the inspection. Kind regards, Ian Thomas, Waste regulation Officer Please find your new regulating officer's contact details below. Email:

ian.thomas2@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.