

Compliance Assessment Report CAR_NRW0042761

Permit being assessed: BP3090ST.

For: Potters Yard, held by James Edward Potter

At: Severn Road, Welshpool, Powys, SY21 7AZ.

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

On 25/09/2023 between 10:40 and 12:50.

Parts of permit assessed: Permitted activities, Infrastructure, Fire

NRW Lead Officer: Liz Park, accompanied by Luke Taylor.

Report sent to: Kevin Pryce, TCM/ Site Manager on 07/11/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
D2 - Incident Management - Accidents, emergency and incident planning	Assessed (A)	
A1 - Specified by permit	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
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	Review and update the management system to include the waste laboratory chemical bunded area.	04/12/2023

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 (Senior Officer - Waste Regulation) and Luke Taylor (Officer - Waste Regulation) arrived at Potters Yard to undertake an unannounced compliance visit. The Officers met with Kevin Pryce (TCM, North Area Manager). The purpose of the visit was to focus on the actions following the joint visit with the Mid and West Wales Fire and Rescue Service (MWWFRS). At the time of the visit the weather was mild with occasional showers.

A site walkover of the Transfer Station and Household Waste site was undertaken before discussing the visit in a meeting room.

Site access

The actions following the discussion with MWWFRS have been undertaken and the site can be assessed and left secure.

Site Plan

An updated copy of the site plan which includes the emergency contact details has been placed in the fire boxes. It is acknowledged that the site is currently being re-arranged which includes measures to reduce fire risk such as moving the small domestic appliances away from the bay nearest the adjacent building, and that the site plan may not accurately reflect where waste is being stored.

Action - As soon as the new site plan is produced, a copy must be placed in the fire boxes and a copy provided to NRW.

Fire water management and drainage system on main yard

The stop valve is assessable and it's location has been clearly identified on the site wall. The keys for the manhole cover are on the wall. Both the location of the keys and the manhole cover has been painted in red. Storage has been arranged so that the value cannot be covered over again.



Location of stop value clearly identified and accessible

Drainage mats and sandbags

Kevin explained that the new sandbags are beginning to rot again. He has recently bought some plastic sandbags and plans to fill them and trial their use before being required to be used. An example bag was shown to the Officers.

Water in waste chemical storage area bund

Rainwater had accumulated within the bund for the chemical waste store. Whilst this shows that the bunds works, consideration must be given as to how to manage the rain water/potentially contaminated water rather than letting it evaporate. Any rainwater accumulating in the bund reduces the storage capacity within the bund.



Liquid in bunded area

Waste chemical container labels

The chemical drums and IBCs still have their old labels on them. These should be removed (or made unusable) to prevent confusion and the containers clearly identified if empty. The containers holding waste chemicals are labelled.

Waste wood stacks

One waste wood stack appeared to visually be around 4m high, though it was not measured. Kevin informed the Officers that the site had been shredding the waste wood and moving one pile to the other. They had not been able to complete the work before the shredder left, meaning the shredded wood waste could not be stored in the place where the un-shredded wood was as there was still un-shredded wood in situ. Officers were informed that the height will be reduced over the next couple of days as the shredded wood is removed from site.

There was sufficient separation distance between the waste wood stacks.

Water supplies

This was discussed at a NRW/MWWFRS meeting. Further discussion is required with MWWFRS.

Site Notice Board

The application to transfer the permit was returned. It is understood that a new application will be completed shortly. It was agreed that the new notice boards at both entrances will be installed following the determination of this transfer application.

Household Waste Recycling Centre (HWRC)

The HWRC was not open to the public on the day of the visit. The centre was clean and tidy.

Gas cylinders - the site no longer accepts gas cylinders due to Health and Safety legislation. These are still marked on the site plan layout plan for the HWRC.

Fluorescent tube stand - A new collection stand has been provided by the new collector (arranged by Powys County Council). Kevin has already requested that the new collector provides covers for the tubes where the fluorescent tubes are stored as required by the management system.

Oil tank - A new oil tank has been provided. The oil tank is still marked on the site layout plan

Action - Please provide a copy of the current site layout plan for the HWRC for the management system and HWRC FPMP.

C2 - Management System and operating procedures - Permit Condition 1.1.1 - CCS Cat 3

SOP-03 Waste storage and handling v2 requires the hazardous and non-hazardous laboratory chemicals to be stored on impermeable pavement with sealed drainage as per permit condition 2.1.1 schedule 1 table S1.1 but does not contain any details re the

management of the bund. SOP-07 Maintenance v8 details checks and maintenance of storage areas does not specifically mention checking the bunded area of the chemical storage area, though surfaced areas and bunds are to be checked weekly. The maintenance of the chemical storage area must be included in the management system detailing how any liquid that accumulates in the bund is managed so that the holding capacity within the bund is maintained to prevent pollution.

Action - Update management system to include the chemical bund to prevent pollution and provide a copy of the relevant SOP(s) to NRW- by 4 December 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.