

## Compliance Assessment Report CAR\_NRW0042765

**Permit being assessed:** CP3594FE.

For: Moel Y Faen Quarry, held by Jones Bros Ruthin ( Civil Engineering ) Co Ltd

At: Horseshoe Pass, Llangollen, Denbighshire, .

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

On 31/10/2023 between 14:30 and 15:30.

Parts of permit assessed: Waste acceptance; Storage, Handling, labelling, segregation;  
Surface water; Management system and operating procedure; Reporting & notification to NRW

**NRW Lead Officer:** Steven White.

**Report sent to:** Stephen Blunt, Arwyn Evans, Sam Higgitt, Environmental Lead/Manager on 10/11/2023.

### 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)      |                  |
| C3 - General Management - Materials acceptance                                                                 | Assessed (A)      |                  |
| C4 - General Management - Storage, handling labelling and Segregation                                          | Assessed (A)      |                  |
| E3 - Emissions - Surface water                                                                                 | Assessed (A)      |                  |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | 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 arranged inspection to coincide with the site annual report on activities and remediation, Senior Environment Officer Steven White met with Environmental Lead Stephen Blunt at the site office and conducted a 'walkaround' of the remediated areas and proposed future activities. The weather was relatively dry following a couple of weeks of very heavy rain and named storms.

We walked down the quarry to the areas of remediation which showed good heather regrowth and areas where it was beginning to reseed in newly planted slopes. A channel had been constructed to alleviate surface water runoff, this channel went off site via a soakaway and had no impact on any of the nearby watercourses. Should any silt impact be observed in these watercourses you must put measures in place to stop this impact immediately.



Surface water channel

Part of the quarry face towards the west of the site has been levelled with waste from the quarry and imported waste, this has left a slope which is to be covered with soils and eventually reseeded as part of the site remediation. A walk-over of this area showed no visible signs of contamination in the material in this area.



Levelled area of the quarry in preparation for remediation

There were areas of the quarry which stored treated waste material to be used in future projects by Jones Bros, this material was segregated into different grades and had no visible contamination.



Graded waste piles

We then went to the lagoon area of the quarry, this had been filled in a few years ago in order to dissuade members of the public from accessing the quarry. Future plans are to fill this area with waste material imported to site, this will be filled to just below the top of the quarry. As discussed on site this would require a variation of the site permit as the volumes would exceed those currently allowed under the permit, and the site boundary would require extending to include this part. Separate correspondence has been sent to Jones Bros on this matter.



Lagoon area of the quarry filled with waste material

The Site EMS will require updating as the current version is dated from 2012 from the last permit variation, this can be done as part of the forthcoming permit variation to increase the permit boundary and volumes.

We then went back to the site office and discussed the visit and future site activities with Site Manager Gareth Bee.

Waste Returns for the past year have been checked, there are no concerns raised with these.

Thank you for your time, please find my contact details below.

Regards

**Steven White**

**Senior Officer (NE Waste Regulation Team)**

Email: [steven.white@naturalresourceswales.gov.uk](mailto:steven.white@naturalresourceswales.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](mailto: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](mailto: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.