

Compliance Assessment Report CAR_NRW0042938

Permit being assessed: AB3095CJ.

For: Nant Newydd Quarry, held by Hurt Plant Hire Ltd

At: Brynteg, Anglesey, LL78 7JJ.

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

On 27/11/2023 between 13:00 and 13:10.

Parts of permit assessed: See below

NRW Lead Officer: Sarah Walton, accompanied by Leon Williams.

Report sent to: John Flood, Director on 07/12/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	Assessed (A)	
E2 - Emissions - Land and groundwater	Action only (X)	
E2 - Emissions - Land and groundwater	Action only (X)	
E3 - Emissions - Surface water	Action only (X)	
C1 - General Management - Staff competency/training	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	Permit Condition 4.2.4 "Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter".

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
1	0.1

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
E2	Ensure that sulphate is including in groundwater monitoring parameters and reported on as per Table S3.2.	29/12/2023
E2	Investigate odour issues at groundwater monitoring point BH5D. Report any findings to NRW.	22/12/2023
E3	Ensure that sulphate is included in surface water monitoring and reported on as per Table S3.1 'Point Source emissions to water (other than sewer) and land - emission limits and monitoring requirements'.	29/12/2023
C1	Submit details of the Technically Competent Manager for the site. Include evidence of their technical competency.	15/12/2023
G4	Submit outstanding waste returns for Quarter 1 (Jan-March), Quarter 2 (April-June) and Quarter 3 (July-Sep) of 2023.	17/12/2023

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.

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

On Monday 27th November 2023, Officers from Natural Resources Wales attempted to conduct a site inspection at Nant Newydd Quarry Inert Landfill. Sarah Walton (Waste Regulation Officer) and Leon Williams (Senior Waste Regulation Officer), attended site at 1pm. However, the gates to the site were locked and there was nobody present who could give officers access.

There was no sight of any machinery or vehicles on site. It looked as though the site was not currently in operation.

South West corner of the site

To the left of the site entrance, in the South-West corner of the site, there was a separately fenced area which contained a number of waste deposits. At the time of the visit, officers were unsure if this area was within the permitted area. However, further checks have since been completed, confirming that this separately occupied area, falls within the permit boundary.

This South West corner of the site was being occupied by 'W J OWEN & SON'. Officers met with Mr Gwilym Owen who is the Director of W J Owen & Son Ltd. This corner of the site is being operated under a number of waste exemptions.

Because this area falls within the permit boundary, it is subject to permit conditions. Operation of site and any non-compliances would be the responsibility of the permit operator, Hurt Plant Hire Ltd. As the operator of the permit is Hurt Plant Hire Ltd, this is the

only entity authorised to undertake waste activities at the site.



Photograph of waste storage on site

The above waste was being stored on site ,which included an old washing machine and mixed metals. Mr Owen explained that this waste was his own and had arisen from site. Please ensure when this waste is removed, it is taken to a suitably permitted facility that is authorised to accept it.



Photographs showing waste storage on site

There were some other waste deposits on site including soil, rubble, brick and road planings. Mr Owen explained that these wastes had been brought onto site under the U1 Waste Exemption, to construct a bund.

Please be aware about the upcoming reform to the waste exemption regime. The proposed changes will prohibit the use of waste exemptions at/adjacent to permitted sites.

The below link has further information on this in section 2.1:

<https://www.gov.uk/government/consultations/reducing-crime-at-sites-handling-waste-and-introducing-fixed-penalties-for-waste-duty-of-care/outcome/supplementary-government-response>

Emissions:

E3 - Surface Water

Permit Condition 3.1.2 *"The limits for surface water quality specified in schedule 3, table S3.1 shall not be exceeded".*

Monitoring data for Surface Water Quality has been reviewed, which includes submissions from Quarter 1, Quarter 2 and Quarter 3 of 2023.

The permitted limits for the following parameters are:

- **Suspended solids:** 100mg/l / 50mg/l on any 2 consecutive occasions
- **Sulphate:** 250mgSO₄/l
- **Phosphate (as phosphorus):** 1.2mgPO₄-P/l / 0.1mgPO₄-P/l on any 2 consecutive occasions.
- **Oil & Grease:** non-visible.

Within the monitoring data received for site, there was no data for sulphate (mgSO₄/l). There were sample results for 'Total sulphur', however, the permit requires sampling of sulphate as mgSO₄/l.

ACTION: Ensure that sulphate is included in surface water monitoring and reported on as per Table S3.1 'Point Source emissions to water (other than sewer) and land - emission limits and monitoring requirements'.

There were no exceedances for Suspended solids, Phosphate or Oil & Grease monitoring across the reporting period.

E2 - Land and Groundwater

Permit Condition 3.1.6 *"The trigger levels for emissions into groundwater for the parameter(s) and monitoring point(s) set out in schedule 3 table S3.2 shall not be exceeded".*

Monitoring data for Groundwater has been reviewed, which includes submissions from Quarter 1, Quarter 2 and Quarter 3 of 2023.

The permitted limits for the following parameters are:

- **Chloride:** 65mg/l

- **Arsenic:** 0.005mg/l
- **Nickel:** 0.02 mg/l
- **Zinc:** 0.13 mg/l
- **Ammoniacal Nitrogen:** 0.39 mgNH₄ - N/l
- **Sulphate:** 250mgSO₄/l

Within the monitoring data received for the site, again there were no results for Sulphate(MgSO₄/l), only 'total sulphur (mg/l). The permit requires that monitoring points noted in Table S3.2, should be tested for sulphate.

ACTION: Ensure that sulphate is including in groundwater monitoring parameters and reported on as per Table S3.2.

It was noted in all three monitoring reports (Q1,2 & 3), that a 'methane' or 'sulphur smell' has been identified at monitoring point BH5D. In the covering letter, there did not appear to be any comments regarding this observation or any action taken as a result.

As a further action, please look into this recurring odour issue and report back with any findings.

E1 Air

Permit Condition 3.1.3 "The limits for landfill gas arising from the facility set out in schedule 3, tables S3.3 shall not be exceeded".

Monitoring data for landfill gas has been reviewed, which includes submissions from Quarter 1, Quarter 2 and Quarter 3 of 2023.

Table S3.3 notes a permit limit for Methane (CH₄) of 1.1% v/v, at monitoring Boreholes BH1S and BH2S.

There monitoring data for this period, was within the 1.1% v/v limit.

C1 Staff Competency

Permit Condition 1.1.4 "The operator shall comply with the requirements of an approved competence scheme".

ACTION: Please submit to NRW, name and contact details for the Technically Competent Manager for the site. Include in your response, evidence of their technical competency.

G4 - Reporting to Natural Resources Wales

Permit Condition 4.2.4 "Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter".

A review has been completed of waste return submissions for the permit. This has found that the last Waste Return submitted by site, was for Quarter 4 2022. There have been no Waste Return submissions so far, for 2023.

As such, the permit has been scored a CCS 4 for this breach of permit condition.

ACTION: Submit outstanding waste returns for Quarter 1 (Jan-March), Quarter 2 (April-June) and Quarter 3 (July-Sep) of 2023.

Please be aware that if no waste has been accepted and removed from site across a quarter, a waste return form still needs completing to show this and should be submitted to NRW within the stipulated time frame.

It is currently unclear what is happening with site operations. There does not appear to be any waste activities taking place on site.

Please respond to this CAR form explaining the current situation with the site and whether there are any plans to continue waste operations or surrender the permit.

Kind Regards,

Sarah Walton

Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer

Gogledd-Orllewin / North West

Ffôn/ Phone: 03000 655 023

E-bost/Email: Sarah.I.walton@cyfoethnaturiolcymru.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 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.