

Compliance Assessment Report CAR_NRW0042963

Permit being assessed: FP3590LV.

For: Rhuddlan Bach Quarry Landfill Site, held by Hurt Plant Hire Ltd

At: Rhuddlan Bach Quarry Landfill Site, Brynteg, Anglesey, LL78 7JJ.

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

On 27/11/2023 between 11:20 and 12:30.

Parts of permit assessed: See below

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

Report sent to: John Flood, Director on 18/12/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C3 - General Management - Materials acceptance	Action only (X)	
C1 - General Management - Staff competency/training	Action only (X)	
C3 - General Management - Materials acceptance	C3 Minor	Permit Condition 2.1.1. "The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities") No more than 400 tonnes of untreated waste shall be stored at any one time".
E2 - Emissions - Land and groundwater	C3 Minor	Permit Condition 3.1.1 'There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 table S3.1'.
E3 - Emissions - Surface water	Assessed (A)	
E1 - Emissions - Air	C3 Minor	Permit Condition 3.1.3 'The limits for landfill gas arising from the facility set out in schedule 3, table S3.3 shall not be exceeded'.

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

Total number of non-compliances recorded	Total non-compliance score
3	12

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
C3	Consider keeping a skip adjacent to landfill area, so that any obvious contaminants can be removed, prior to deposition.	22/12/2023
C1	Provide details of the site's Technically Competent Manager, along with evidence of their technical competency.	15/12/2023
C3	Remove untreated inert waste from site, so that no more than 400 tonnes untreated inert waste is stored at any one time. This waste must be taken to a suitably permitted facility and all Waste Transfer Notes shared with NRW.	12/01/2024
E2	Continue to monitor BH5 and BH6B closely for any permit breaches. Ensure that any breaches are investigated accordingly to find a possible root cause.	18/12/2023
E1	Review the C02 permit breaches on site and consider applying for a permit variation if required.	12/01/2024

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.

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

A site inspection was carried out on Monday 27th November 2023. This was to assess completion of actions noted on the previous CAR form (CAR_NRW0042281), issued following a site inspection on 02/08/2023.

Sarah Walton (Waste Regulation Officer) and Leon Williams (Senior Waste Regulation Officer), met with Adam Crompton (Quarry & Transport).

To begin with, the landfill area was inspected from below.



Photographs showing waste deposited to form 'Cell 2'

No issues were observed here and all waste material looked to be inert and looked to align with waste types that can be accepted under permit conditions.

Officers then went round to the top of Cell 2, where waste was actively being accepted and deposited on site.



Photograph showing waste soil being deposited on site

Three tipper loads of waste were observed being deposited on site by 'CMP' branded vehicles. The waste material being tipped looked to be soil. Adam explained that this soil had come from a job in Holyhead. When questions were asked about the specific waste being deposited in the landfill, Adam explained that this side of the site is operated by Clive Hurt Holdings Ltd.

The site permit is held by Hurt Plant Hire Ltd who are the operator and only entity authorised to operate and manage waste activities on site.

ACTION: Please respond to this CAR form, explaining the arrangement in place for the landfill area of the site. Please detail which company operates the landfill area and what permissions they have to do this.



**Photographs showing visible contamination within waste deposit**

Officers conducted a quick walk over of cell 2, to look at the waste deposited on site. There were various pieces of wire, plastics and metals contained within the waste. There was no evidence of a skip or any attempts to remove contamination found in waste deposits.

Whilst the levels of contamination were not significant, efforts should be made to remove pieces of plastic, wiring and metals if identified. It is recommended that a skip / other container is stored next to the landfill, so that any contaminants can be removed and safely

stored pending removal. Please ensure when this waste is removed from site, that it is recorded on the site's Waste Return.

C1 Staff Competency / Training

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

At this point, it was queried who was the Technically Competent Manager (TCM) for the site. Adam said that he believed Roy Underwood was the current TCM.

Officers checked the site diary, but could not see any evidence of Roy Underwood visiting site.

ACTION: Provide details of the site's Technically Competent Manager, along with evidence of their technical competency & ensure that the TCM signs in and out of site on each visit.

C3 Materials Acceptance

Permit Condition 2.1.1. *"The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities") No more than 400 tonnes of untreated waste shall be stored at any one time".*

Following the site inspection on 02/08/2023, an action was placed on the operator, to reduce the volume of untreated inert waste on site to less than 400 tonnes. Emails were received from the operator, detailing progress made in this area.





Photographs showing storage of untreated inert waste on site.

The above photographs show that the site continues to store in excess of 400 tonnes of untreated inert waste. Emails received from site, stated that waste that has been removed from site, has gone as 'product'. Documentation has been requested from site to evidence removal, which are currently being reviewed by NRW.

Because the site continues to breach the permit limit for volume of untreated waste stored at site, the permit has been scored a CCS C3 Score.

ACTION: Remove untreated inert waste from site, so that the volume stored on site is less than 400 tonnes.

The waste must be taken to a suitably permitted facility and all Waste Transfer Notes shared with NRW.

Please ensure this action is completed by Friday 12th January 2024.

Should this deadline not be met, we will consider enforcement action, which may be in the form of a legal notice issued to site.

E2: Emissions to Land and Groundwater

Thank you for the submission of 'Quarterly Monitoring Review July – September 2023' received by NRW on 5th October 2023.

It was noted on the front of the report, that the client is 'Clive Hurt Holdings Ltd'. As noted earlier in this CAR form, the legal operator of the permit is Hurt Plant Hire Ltd and not Clive Hurt Holdings Ltd.

Permit Condition 3.1.1 'There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 table S3.1'.

Groundwater Monitoring data has been reviewed for Quarter 3 of 2023.
(For context, TPH limits of 0.01mg/l and Sulphur limits of 250mg/l)

Compliance limits were exceeded for the following:

BH5: Sulphate of 318mg/l on 10/07/2023, and TPH of 0.12 on 17/08/2023

BH6B: TPH of 0.02mg/l 17/08/2023

Possible reasons for the Sulphate breach was noted in the report. Elevated sulphate levels are suspected to be related to quarry blasting activities in the vicinity of borehole BH5. There was no analysis as to why TPH levels were exceeded on 17/08/2023, however on the next monitoring round (15/09/2023), levels of TPH had returned to be within compliance limits.

The above permit breaches have been consolidated into one CCS C3 score.

ACTION: Continue to monitor BH5 and BH6B closely for any permit breaches. Ensure that any breaches are investigated accordingly to find a possible root cause.

Permit Condition 3.1.2 'The limits for surface water quality specified in schedule 3, table S3.5 shall not be exceeded'.

Monitoring data for surface water quality has been reviewed for Quarter 3 of 2023.

Monitoring points SW2 and SW3 were overgrown and inaccessible on 10/07/2023. A site inspection that took place in August, addressed this issue. Monitoring points were then accessible for the August monitoring round onwards.

There were no reported breaches for surface water quality.

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

Monitoring data for landfill gas have been reviewed for Quarter 3 of 2023.

There were no permit exceedances for methane.

The monitoring data shows a number of permit breaches for Carbon Dioxide (EP limit 1.5%v/v):

BH1B: 1.6 %v/v on 17/08/2023

BH2: 3.1%v/v on 10/07/2023 and 3.7%v/v on 15/09/2023

BH4: 3.7%v/v on 15/09/2023.

The report states that these exceedances represent background concentrations and that a review and removal of these limits will be considered in a permit variation application.

The exceedances of permit limits for CO₂ have been consolidated and scored as one

Category 3 breach.

ACTION: Review the C02 permit breach on site and consider apply for a permit variation if required.

Officers returned to the site office to try and view some Waste Transfer Notes (WTN). A couple of documents were viewed, but officers were informed that all WTNs are stored at Head Office.

Please consider keeping copies of Waste Transfer Notes on site, so that officers can view them on site inspections.

The inspection was completed at around 12:30. Thank you for all staff who assisted and cooperated with the site inspection.

Should you wish to discuss or query anything in this CAR form, please get in touch using the details below.

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.