

Compliance Assessment Report CAR_NRW0043394

Permit being assessed: CB3895CV.

For: Smash & Grab Limited, held by Smash & Grab Limited

At: Moss Woods, Five Roads, Pontyates, Llanelli, Carmarthenshire, SA15 5JQ.

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

On 17/01/2024 between 12:20 and 13:00.

Parts of permit assessed: A

NRW Lead Officer: David Morgan.

Report sent to: Luke Rees, Operator on 09/02/2024.

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)	

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

Natural Resources Wales undertook a site inspection on Wednesday 17th January 2024. The purpose of the visit was to conduct the first inspection of the site following the issue of the Environmental Permit on 30th May 2023.

Present at the time of the inspection were David Morgan (Natural Resources Wales) and Luke Rees (Operator, Smash & Grab Limited).

The following observations were made:

Operations & Infrastructure

The Environmental Permit (ref: EPR/CB3895CV) was issued on 30th May 2023. The Environmental Permit is Standard Rules set **SR2008No11 - 'inert and excavation waste transfer station with treatment'**.

At the time of the inspection, waste storage and treatment activities had not yet begun. In our meeting on site, it was stated by the Operator that plant and equipment (notably a crusher) had recently been purchased and trialled on site. A small amount of waste (bricks, tiles, concrete) had been accepted in order to test the functionality of the plant and equipment.

As activities had not yet begun, a request was made that Natural Resources Wales is notified when activities commence. Following receipt of this notification, Natural Resources Wales will conduct a follow-up inspection to assess activities.

In relation to infrastructure, namely site surfacing, the site appears to be predominantly hard standing. We discussed the requirements for site surfacing and I refer you to the requirements as set out in your Environmental Permit:

2.3 Operating techniques

2.3.1 The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

Table 2.3 Operating techniques

- | |
|---|
| 1. Waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system. |
|---|

Waste can be stored and treated on hard standing surfaces or an impermeable surface with a sealed drainage system.

Environmental Permit Compliance, Management Systems & Reporting

Following an inspection of the site and discussion regarding infrastructure, Advice & Guidance was provided regarding general Environmental Permit Compliance.

At the time of the inspection, operations had not yet begun, however, you must ensure the site has an Environment Management System. Please see Condition 1.1.1 of your Environmental Permit. A written management system will explain how you have identified risks posed by your operation and the measures taken to ensure activities do not have a detrimental impact on the environment. The Environment Management System (EMS) will detail how Smash & Grab Limited will comply with the conditions of the Environmental Permit.

Further information on Environment Management Systems can be found in the document; 'How to comply with your Environmental Permit': [How to comply with your environmental permit \(naturalresources.wales\)](https://naturalresources.wales).

Other topics we discussed included:

- * Compliance classification and how non-compliance can impact subsistence fees
- * The need to have technically qualified persons on site
- * The requirement to complete Waste Returns (detailing volumes/types of waste that have entered and left site)
- * End-of-Waste criteria for recycled aggregate to be classed as non-waste
- * Publication of inspection reports and other site related documents (e.g. Environmental Permit) on Natural Resources Wales' public register

Administration & Records

It was noted that at the time of the inspection, there was no office building on site. As a result, there were no written records or documentation being stored on site. As operations had not commenced, on this occasion, you will be provided with Advice & Guidance.

It is recommended that you fully review your Environmental Permit. You must fully understand the requirements of the permit, the conditions by which your business must operate. You may wish to engage with an Environmental Consultant who can provide training in compliance with the Environmental Permit.

As required by your permit, you must keep a copy of the Environmental Permit, Environment Management System and other related information (Duty of Care Waste Transfer Notes etc.) on site so they can be made available to staff and for inspection by Natural Resources Wales Waste Regulation Officers.

Summary

The Environmental Permit was issued on 30th May 2023, but as of yet, the recycling operations had not commenced.

In relation to infrastructure required, namely site surfacing, you can store and treat waste on a hard standing surface such a surface meets industry standard specifications.

It is advised you review your Environmental Permit and seek assistance from an Environmental Consultant who can provide you with training on how to comply with your Environmental Permit.

On this occasion, you have been provided with Advice & Guidance. If however, during the next regulatory inspection, you are not compliant with conditions of your Environmental Permit, it may result in non-compliances being recorded and enforcement action being taken against you.

Additional Note

Following the inspection of 17th January 2024, it has been noted that the site itself has been subject to prior investigation by Natural Resources Wales Enforcement Officers regarding the deposit of waste (namely construction & demolition materials) and failure to comply with the requirements of the U1 Waste Exemption ('Use of Waste in Construction') that was registered to the site.

We are now reviewing the implications of this on the permitted activity and will contact you in due course regarding this matter.

END OF REPORT

Any compliance criteria not highlighted in the above summary should be considered as not assessed. In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012. You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1 st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

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.