

## Compliance Assessment Report CAR\_NRW0043757

**Permit being assessed:** YP3294FG.  
For: Cae Bwsan, held by Paul Allport  
At: Clynnog Fawr, Caernarfon, Gwynedd, LL54 5NN.

**Type of assessment carried out:** Site Inspection, Reason: Routine.  
On 15/02/2024 between 12:10 and 13:10.  
Parts of permit assessed: see below

**NRW Lead Officer:** Daniel Grant.  
**Report sent to:** Eirian Allport, TCM on 25/03/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	1.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	7.2.2
C1 - General Management - Staff competency/training	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	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
2	4.1

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
A1	Construction of a wall behind the site crusher to prevent further escape of waste from your site.	01/11/2024
G4	Ensure that all waste returns are submitted within one month of the end of the quarter. Ensure that all waste returns submitted contain accurate records of accepted and removed waste from your site.	30/04/2024

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

This was an unannounced visit carried out on Thursday the 15<sup>th</sup> of February by Natural Resources Wales officers Daniel Grant (Hazardous Waste Regulation Officer) and Ricky Hartleb (Tackling Waste Crime Officer).

Officers met with Richard Allport at the yard who accompanied officers around the site during the site inspection. Site TCM's Eirian and Paul Allport were not present at the site initially.

Weather conditions throughout the inspection was light rain.

The hazardous waste premises registration was checked prior to the visit. ALLPORT METAL RECYCLING LIMITED are currently registered as a hazardous waste producer (CAH071) until the 5<sup>th</sup> of April 2024, this is compliant with Section 21 of the Hazardous Waste Regulations 2005.

#### **Site inspection**

Officers inspected inside the working shed where waste metal and plastic from cabling was being segregated and sorted. All waste metal was stored appropriately and in clearly defined bins (Figure 1). Waste batteries were also stored in appropriate bins here.





Figure 1. Segregated and sorted waste metals and waste batteries stored in bins inside site working shed.

An ELV was being depolluted in the ELV depollution shed during the inspection (Figure 2). All waste liquids were being removed using specialist equipment that connect directly to clearly labelled storage tanks outside the depollution shed. There were no issues noted.



Figure 2. depolluted ELV inside depollution shed.

Depolluted vehicles are subsequently crushed on site and stored outside on impermeable surface (Figure 3).



Figure 3. Crushed depolluted ELV's stored outside on impermeable surface.

The area behind the site crusher was inspected and waste metal falling beyond the site impermeable surface and beyond the site boundary (Figure 4) was identified. As waste material was observed to be stored outside of the permitted area a category 3 non-compliance has been recorded. Further details of this can be found below.



Figure 4. Waste material falling beyond site impermeable surface outside permit boundary.

Other waste types including scrap metal was being stored on site with quantities appearing within permitted limits and contained within appropriate storage.

Upon finishing the site inspection site TCM's Paul and Eirian Allport arrived on site and findings were discussed.

Officers also saw Paul and Eirian's newly received TCM certificates. The certificates showed that both Paul

and Eirian are ensuring competency in the relevant awards in metal recycling and ELV at the site until 2026. Thank you for your continued compliance here.

### **Waste documentation**

The following documentation was requested for inspection after the visit:

#### Waste Received at Allport

- Consignment notes for waste batteries accepted in 2023

#### Waste Removed from Allport

- Consignment notes for removal of waste oils in 2023
- Consignment notes for removal of waste fuels in 2023
- Previous two consignment notes for the removal of waste oils from site oil interceptor
- Consignment notes for removal of waste batteries in 2023
- Consignment notes for removal of catalytic converters in 2023

These documents were compared against submitted waste returns and submitted consignee returns.

At the time of the inspection Allport Metal Recycling Ltd had not submitted waste returns for Quarter 3 and 4, 2023. Condition 7.2.2 of your environmental permit makes it a requirement to send your waste returns within 1 month of the end of the quarter. As a result of these late submissions a category 4 non-compliance has been applied. Further details of this non-compliance is summarised below.

All above waste documentation was inspected, and it was highlighted that the following wastes were not included or submitted incorrectly in the quarterly waste returns submissions:

- Hazardous waste removed from the site interceptor in 2018 and 2022.
- Catalytic converters removed from site in 2022.
- Waste oils from site in 2023

These issues were highlighted and rectified by Eirian by sending amended waste returns for the specific periods. It is important to note that all waste accepted and removed at your site must be accurately reported in your quarterly waste returns. This is a requirement as per condition 7.2.2 of your environmental permit. Although this is a non-compliance in this instance, this score will be consolidated with the non-compliance regarding late submissions of waste returns specified above as they are non-compliances for the same permit condition.

As all waste documentation required for this inspection were hazardous waste consignment notes, findings from the inspection of these consignment notes will be detailed in a separate letter. This is because the Hazardous Waste Regulations 2005 is a separate piece of legislation to the Environmental Permitting Regulations 2016.

### **Non-compliances**

#### **Condition 1.1.1 (a)**

*“No waste management operations shall be authorised by this licence unless: specified in and undertaken in accordance with the limitations in the following table: the storage of waste shall be restricted to the areas identified for this purpose”*

Waste metal was identified outside the permit boundary, falling beyond the site impermeable surface,

located behind the waste crusher.

As a result, this is non-compliant with Condition 1.1.1 of your permit and a Compliance Classification Score (CCS) 3 breach has been assigned.

This matter was also noted in a previous site inspection carried out by Ross Briscoe in 20/08/2019 (CAR\_NRW0035649). Current practices on site are not sufficient to remediate this matter considering the repeat non-compliance. As a result, moving forward changes to the site infrastructure was discussed and agreed on site. It was agreed that a wall would be built behind the site crusher to prevent the escape of waste here. It was agreed that this matter would be rectified by the end of the year. In the meantime, you should review site practices to ensure that this non-compliance can be avoided again until a wall is built.

**Action-** Construction of a wall behind the site crusher to prevent further escape of waste from your site.

**Deadline-** 01/11/24.

### Condition 7.2.2

*“a summary record of the waste types and quantities accepted and removed from the site shall be made for each quarter of the financial year and shall be submitted to the agency within 1 month following the end of the quarter.”*

There are separate non-compliances that have been noted against this condition involving:

- the submission of late waste returns in Q3 and Q4 2023. These should have been submitted by the 31<sup>st</sup> of October 2023 and the 31<sup>st</sup> of January 2024, respectively.
- Inaccurate missing records for certain waste streams for previously submitted waste returns, specifically:
  - Missing record in Q1 2022 of EWC 130506
  - Some missing records in Q3 2023 of EWC 130205
  - Missing record of waste catalytic converters in 2022.

As a result, these are non-compliant with Condition 7.2.2 of your permit and a Compliance Classification Score (CCS) 4 breach has been assigned.

As these are non-compliances for the same condition they will be consolidated as a single score.

**Action-** Ensure that all waste returns are submitted within one month of the end of the quarter. Ensure that all waste returns submitted contain accurate records of accepted and removed waste from your site.

**Deadline-** 30/04/24 (next quarterly waste return deadline)

### Summary

Non-compliances with two separate conditions were identified:

- condition 1.1.1
- condition 7.2.2

Two scores of CCS 3 (score of 4) and CCS 4 (score of 0.1) have been assigned in this case.

Therefore, your overall score for this inspection is 4.01.

Please refer to the below table if you require further information on non-compliance scores.

Actions and deadlines in order to bring you back into compliance have been outlined for each of these non-compliances. Please ensure that these actions are completed by the specified date. If you have any issues with these dates, please let us know as soon as possible.

If you have any further questions about the contents of this inspection report, please do not hesitate to contact us.

Yours sincerely

Daniel Grant

Hazardous Waste Regulation Officer

E-mail: [daniel.grant@naturalresourceswales.gov.uk](mailto:daniel.grant@naturalresourceswales.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.*

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.