

## Compliance Assessment Report CAR\_NRW0044314

**Permit being assessed:** CB3195HG.

**For:** Jennings, **held by:** Jennings Building & Civil Engineering Limited

**At:** Plas Gwilym Quarry, 78 Llysfaen Road, Old Colwyn, Colwyn Bay, LL29 9HE.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 07/05/2024 between 14:00 and 15:30.

**Parts of permit assessed:** See below.

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

**Report sent to:** Danny Jones , Managing Director, on 16/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	Action only (X)	
W2D - Waste - Operations - The site	Action only (X)	

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

Total 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?

Criteria	Action needed	Complete by
W1A	Please provide a reviewed copy of the site EMS, which contains procedures for production of WRAP Quality Protocol aggregate.	12/07/2024
W2D	Ensure all waste is stored on hard standing / impermeable surface with sealed drainage system. The site Environmental Management System should specify location of each waste storage area and stockpile size.	30/08/2024

Compliance 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

A routine site inspection took place on Tuesday 7th May 2024.  
As this was the first inspection, this was pre-announced.

Sarah Walton (Waste Regulation Officer) and Leon Williams (Senior Waste Regulation Officer), met on site with Danny Jones (Managing Director) and Mark Rawson (Foreman).

The site's Noise Management Plan was discussed. This is currently in review by NRW. Danny explained that noisy work such as crushing and pecking is limited to weekdays only and that no noisy work takes place on weekends. Jennings' have reached out to local residents to create an open dialogue, should noise pollution be causing any issues. Once the Noise Management Plan has been reviewed, any recommendations will be communicated to site.

A walk around site was completed. Danny explained that most of the waste on site, comes from Jennings' own groundworks.





Photographs showing untreated waste





#### Photographs showing treated waste

Treated waste (crushed concrete and brick), is segregated into 40ml and 10/20ml stockpiles. Danny Jones explained that this material is sold as WRAP Quality Protocol aggregate.

Please provide a copy of the site's Environmental Management System, which contains procedures for the production of WRAP QP aggregate. This should include Factory Production Control (FPC) procedures with a Method Statement of Production (MSP), what recognised standard/specification the aggregate is being produced in line with, testing regime etc.

**ACTION: Please provide a reviewed copy of the site EMS, which contains procedures for production of WRAP Quality Protocol aggregate.**

For further information on WRAP's Quality Protocol, can be found on the following link:

<https://www.gov.uk/government/publications/quality-protocol-production-of-aggregates-from-inert-waste>

Officers then walked to the top of the quarry where soil was being stored.

**Permit Condition 2.3.1 "The activities shall be operated using the techniques and in the manner described in Table 2.3 below: 1. Waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system".**



### Photographs showing storage of waste soil

There were 2 large stockpiles of soil at the top of the quarry. The stockpiles blended into the quarry surroundings and other soil on site. There was no clear, distinct stockpiles. The soil was also being stored on un made ground. The soil should be stored on hardstanding or an impermeable surface as per permit condition 2.3.1.

Your Environmental Management System should cover waste storage procedures including:

- storage times and procedures to ensure that these times are not exceeded
- maximum storage capacities for specified storage areas and the facility as a whole and procedures to ensure that these capacities are not exceeded
- maximum storage heights to prevent or minimise the emission of dust, litter and throughput management
- a procedure to identify the specific waste types stored at your facility
- procedures to segregate incompatible wastes for example use of appropriate separation distances and or suitable engineering measures.

Further information can be found on Natural Resources Wales' guidance document 'How to comply with your environmental permit'. See link below:

<https://naturalresources.wales/media/680335/how-to-comply-with-your-environmental-permit.pdf>

**ACTION: Ensure all waste is stored on hard standing / impermeable surface with sealed drainage system. The site Environmental Management System should specify location of waste storage areas and stockpile size.**

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**

*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.

**If your assessment result in Section 1 is suspended, what does this mean?**

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 Waste compliance criteria** (used in section 1 and 2):

**1. Management**

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

**2. Operations**

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

**3. Emission and Monitoring**

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

**4. Information**

- W4A – Records
- W4B – Reporting
- W4C – Notification

**Enforcement response**

Any non-compliance with a permit condition 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 twenty 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 to 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.