

Compliance Assessment Report CAR_NRW0044713

Permit being assessed: QP3494FL.

For: Dyfi Skips, **held by:** Jones David & Elwyn

At: Tan Y Ffordd, Derwenlas, Machynlleth, Powys, SY20 8TN.

Type of assessment: Site Inspection,

Reason: Routine.

On: 09/07/2024 between 12:40 and 13:05.

Parts of permit assessed: See criteria below.

NRW Lead Officer: Luke Taylor, accompanied by Christopher Gilbey.

Report sent to: Josh Jones, TCM, on 16/07/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4C - Waste - Information - Notification	Action only (X)	
W1A - Waste - Management - General management	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
W4C	Submit an application to transfer the permit into the name of Josh Jones and update the legal entity.	31/08/2024
W1A	Submit a copy of the current Environment Management System for the site to NRW for review	31/08/2024

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

This compliance assessment report is being produced following a site inspection at Dyfi Skips, Machynlleth. The inspection was conducted by Luke Taylor (Waste Regulation Officer) accompanied by Chris Gilbey (Tackling Waste Crime Officer) of Natural Resources Wales (NRW)

At the time of the inspection the weather was dry and overcast. The site was operation but no activity was taking place.

The site appeared generally clean and tidy, with waste awaiting sorting on both the impermeable area of the yard and the hard-standing area. There is still a quantity of stone, purchased to infill potholes around the surface of the yard where vehicle movements occur regularly. It was discussed that there is to be some drainage working undertaken to stop the build up of surface water following rainfall. Once this is completed the material will then be used to level the yard area.

W4C - Notification - Permit condition 1.8.1 - Action Only

The site permit is an old style permit, issued in 2007, and is still in the name of the previous site operators, Mr David Colin Jones and Evan Elwyn Jones of Tan-Y-Ffordd, Derwenlas, Machynlleth. The current site operator and Technically Competent Manager is Mr Joshua Jones. Under condition 1.8.1 of your permit it states that you must notify 'The Agency', which is now Natural Resources Wales, of any change to the operator of the licence, or of a trading name, registered address or registered office.

ACTION - Submit an application to transfer the permit into the name of Joshua Jones and update the legal entity as required. Deadline - 31/08/2024.

W1A - General Management - Permit Condition 1.1.1 - Action Only

As stated above, the permit is an old style permit and so has reference to the Working Plan, rather than an Environment Management System (EMS). The Environmental Protection (Miscellaneous Amendments)(England and Wales) 2018 inserted a condition that the operator must manage and operate the waste operation in accordance with a system (a "written management system"), described in a document or documents, which identifies and minimises the risks of pollution.

There is no management system on file with NRW for the site currently, and no review of any such system has taken place for a considerable amount of time. In order to assess if the site management system is fit for purpose and being adhered to, please submit a copy of the current version, complete with any annex documents, to NRW for review. Guidance

on management systems can be found within the document 'How to comply with your environmental permit' which is available on the NRW website at the below link:

<https://naturalresourceswales.gov.uk/media/680335/how-to-comply-with-your-environmental-permit.pdf>

ACTION - Submit a copy of the current Environment Management System for the site to NRW for review. Deadline 31/08/2024.

If you wish to discuss this CAR, or have any queries in relation to its contents, please email: luke.taylor@cyfoethnaturiolcymru.gov.uk

Regards,
Luke Taylor

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 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.