

## Compliance Assessment Report CAR\_NRW0046038

**Permit being assessed:** BB3794ZH.

For: Ty Mawr West Recycling, held by Ty Mawr West Recycling Limited

At: Ty Mawr West Quarry, Talysarn, LL54 6BA.

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

On 21/11/2024 between 10:30 and 13:00.

Parts of permit assessed: As below.

**NRW Lead Officer:** Leon Williams, accompanied by Nia Brunning.

**Report sent to:** Ellis Wyn Jones, Director on 27/01/2025.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C3 Minor	1.1.1(a)
W2D - Waste - Operations - The site	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
1	4

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	Reduce volume of waste stockpiles.	31/03/2026

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.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

### 4. Details of our assessment

Routine site inspection conducted by Natural Resources Wales (NRW) Officers Leon Williams and Nia Brunning.

Also present on site where Rhys Cadwaladr of Gwynedd Council, Ellis Wyn Jones of Ty Mawr West Recycling Limited and Huw Forrest Owen of Forrest-Owen Group Ltd.

The weather was overcast and showery during the inspection.

On the 28 June 2024, Ty Mawr West Recycling Limited were issued a Regulation 36 Environmental Permitting Regulations 2010 enforcement notice requiring the company to take specified steps to address breaches of environmental permit conditions:

- 1) 1.1.1(a) - Where the site EMS had insufficient waste storage procedures to minimise risks of pollution.
- 2) 2.2.1 - Where waste activities extended beyond the sites permitted boundary.

The actions required by the enforcement notice were due on the 30 September 2024.

### **W1A - General management**

**Permit Condition 1.1.1 - The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises the risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints.**

On the 21 October 2024, NRW received a new site Environmental Management System (EMS) from Marco Muia of Oaktree Environmental Limited on behalf of Ty Mawr West Recycling Limited.

Section 1.7.4 of the EMS outlines waste storage procedures for the site as follows:

- 1.7.4 Table 1.2 details the storage requirements under Environmental Permit ref. EPR/BB3794ZH.

Table 1.2 Waste Storage Details

Description	Limits	Comments
Maximum storage time	Material will be stored for no longer than 6 months following extraction / acceptance.	The site is operated in accordance with a first-in-first-out principal, waste that has been excavated first will be the first to be removed off site.
Maximum storage capacity	No more than 10,000 tonnes of material will be stored on site at any one time.	This will be implemented through strict waste acceptance procedures.
Maximum stockpile height	Material will be stockpiled to a maximum height of 10m.	This will be implemented by visually monitoring the height of the stockpile

From enquiry with Ty Mawr West Recycling Limited and review of the sites waste returns it is estimated that approximately 134,688 tonnes of waste are currently being stored at Ty Mawr West Quarry.

Such a volume of waste is greatly in excess of the 10,000 tonne limit set in the site EMS.

NRW also suspects the storage time of 6 months is also being contravened.

**Ty Mawr West Recycling Limited are not complying with waste procedures being set in the site EMS and a CCS Category 3 permit breach has been issued against permit condition 1.1.1(a).**

NRW would encourage Ty Mawr West Recycling Limited to take action promptly to reduce waste volumes at Ty Mawr West Quarry.

NRW are considering issuing a further Regulation 36 Environmental Permitting Regulations 2010 enforcement notice to remedy this ongoing permit non-compliance.

### **W2D - The site**

#### **2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.**

During the previous inspection at Ty Mawr West Quarry on the 8 May 2024, it was identified that waste activities had extended beyond the sites permitted boundary with waste being deposited in unpermitted areas of the quarry.

Following discussion with Ty Mawr West Recycling Limited these activities were ceased and from communication sent to NRW on the 25 October 2024, the company confirmed that 8640 tonnes of waste were removed and re-deposited within the sites permitted boundary.

NRW are satisfied these actions comply with the requirements set out in the Regulation 36 Environmental Permitting Regulations 2010 issued on the 28 June 2024.

Please ensure that all waste operations are contained within the permitted boundary defined by Schedule 7 in the site permit.



### **Deposit for Recovery Permit**

Discussions were held on site regarding a proposed deposit for recovery operation which would enable the recovery of waste soils to re-instate some quarrying voids at Ty Mawr West Quarry.

Such an operation will need to be authorised by a relevant environmental permit. Due to the site being partially located within a Site of Importance for Nature Conservation (SINC) any new permit application will need to be bespoke.

Relevant planning permission must also be obtained from the Local Planning Authority.

If you require any further support regarding the proposed permit application please do not hesitate to contact us.

Diolch yn fawr,

Leon Williams

Uwch Swyddog Rheoleiddio Gwastraff / Senior Waste Regulation Officer  
Cyfoeth Naturiol Cymru / Natural Resources Wales

[www.cyfoethnaturiol.cymru](http://www.cyfoethnaturiol.cymru) / [www.naturalresources.wales](http://www.naturalresources.wales)

*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](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.