

## Compliance Assessment Report CAR\_NRW0046455

**Permit being assessed:** AB3097ZB.

**For:** Unit A6, **held by:** C & A Asbestos Removal Ltd

**At:** Zone 3, Cibyn Ind Est, Caernarfon, LL55 2BD.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 19/02/2025 between 13:26 and 15:05.

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

**NRW Lead Officer:** Daniel Grant.

**Report sent to:** Andrew & Lorraine OWEN, TCM/ directors, on 27/02/2025.

### 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	C3 Minor	1.1.1
W2C - Waste - Operations - Operating techniques	C3 Minor	2.3.1
W2E - Waste - Operations - Waste acceptance	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
2	8

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 ensure a digital copy of your EMS is attained. Upon doing so, the EMS must be reviewed and updated in consideration with the recommendations outlined below (Section 4). Please send a digital copy of this updated EMS in full to NRW.	28/03/2025

Criteria	Action needed	Complete by
W2C	<p>The single bag found in the skip must be securely wrapped and transferred to the other skip (in a safe manner) that benefits from an impermeable surface and sealed drainage. Provide photo evidence to NRW that this has been completed</p> <p>Moving forward, all asbestos waste should only be stored in skips that are on an impermeable surface with sealed drainage</p> <p>All asbestos waste must be double bagged or securely wrapped moving forward</p>	07/03/2025

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.

**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

This was a routine unannounced inspection carried out at C&A Asbestos Removal Ltd, Cibyn Industrial Estate, Unit A6, Zone 3, Caernarfon LL55 2BD on the 19/02/25 at 13:26 pm by Daniel Grant (Hazardous Waste Regulation Officer), accompanied by Chris Nunn (Apprentice Enforcement Officer).

Weather conditions were cloudy and drizzly.

The purpose of the visit was to carry out a site inspection as well as assess relevant records and documentation.

Present on site were Andrew and Lorraine OWEN (Directors) and officers were accompanied around the site by Andrew OWEN.

#### **Site inspection**

Two, 40 yard, enclosed, locked skips were placed on the site's impermeable surface (Figure 1). This surface benefits from a lip around the edge and a drain in the corner which flows directly into the site's sealed drainage.

Both skips included clear signs on the front labelling them by waste type; bonded asbestos waste (170605) and fibrous asbestos waste (170601).



Figure 1. Both skips stored on an impermeable surface connected to sealed drainage

Andrew OWEN opened both skips for officers to inspect.

All asbestos waste was appropriately double bagged in the fibrous asbestos waste skip (Figure 2).



Figure 2. Fibrous asbestos skip containing asbestos waste double bagged.

Within the bonded asbestos skip, officers identified a single bag that was ripped. Asbestos waste could be seen inside the bag (Figure 3) with a small quantity of soil like waste also on the outside of the bags which also could be asbestos containing (Figure 4). This was highlighted to Andrew OWEN at the time.



Figure 3. Ripped bag with asbestos waste inside, highlighted by the yellow circle.





Figure 4. Waste debris found on the outside of bags which could be containing asbestos.

Two other 40 yard skips on site were stored in an area that did not benefit from sealed drainage. One skip was completely empty and the other had a single, asbestos labelled, bag left in the skip that was open with waste coming out, that could also be asbestos containing (Figure 5).



Figure 5. Enclosed skip with a single bag left inside that was open and full of waste.

The above findings are non-compliant with **Condition 2.3.1** of your permit:

*“The activities shall be operated using the techniques and in the manner described in Table 2.3 below”*

**Table 2.3 Operating techniques**

1. Asbestos waste shall be double bagged or securely wrapped and kept within clearly identified, segregated, secure, lockable containers on an impermeable surface with sealed drainage system.
2. Containers shall be locked when not being loaded.

As a result of this a CCS breach of 3 has been assigned.

**Action-** The single bag found in the skip must be securely wrapped and transferred to the other skip (in a safe manner) that benefits from an impermeable surface and sealed drainage. Provide photo evidence to NRW that this has been completed

**Deadline-** 07/03/25

**Action-** Moving forward, all asbestos waste should only be stored in skips that are on an impermeable surface with sealed drainage

**Deadline-** Upon receipt of this report

**Action-** All asbestos waste must be double bagged or securely wrapped moving forward

**Deadline-** Upon receipt of this report

### **Site Office – documentation review**

Following the site inspection, officers returned to the site office to discuss paperwork/ documentation with Lorraine OWEN.

#### **Hazardous waste premises registration**

C&A Asbestos Removal Ltd are currently registered as a hazardous waste producer (registration number CAS808) until July 2025.

#### **Technically Competent Manager (TCM)**

Site TCM duties are being carried out by Andrew OWEN who holds the “*CIWM (WAMITAB) Level 4 High Risk Operator Competence for Managing Transfer of Hazardous Waste*” qualification that was achieved on the 24/05/24. Please note, the continued competence qualification must be completed every two years following this.

#### **Hazardous Waste Consignee Returns**

A review of consignee returns submitted between 2023 and 2024 was carried out prior to the inspection. It was noted that consignee returns for Q3 2023 was not submitted.

Generally, C&A Asbestos Removal Ltd have been sending all consignee returns within the specified period and this is the first time they have not been sent on time. Following the site inspection the Q3 2023 return was sent to NRW. Thank you for your compliance here.

**Action-** Ensure all hazardous waste consignee returns are sent to NRW within one month of the end of that quarter

**Deadline-** upon receipt of this report

#### **Waste returns vs Consignee Returns comparison**

Prior to the inspection, waste returns submissions were compared against hazardous waste consignee

returns submissions. As C&A Asbestos Removal Ltd only accept hazardous waste, the waste returns records for waste arriving into site and the consignee returns records should match exactly in terms of the quantity of hazardous waste accepted. Our inspection shows that this was largely the case. Only a single waste return was different to the hazardous waste consignee returns submission. Specifically, this was for Q2 2023 where the submissions showed that 47 tonnes of hazardous waste was accepted on your waste returns and 66.13 tonnes was accepted on your consignee returns.

These differences were discussed during the visit. It was identified that there was an issue with transferring weights between the different units of measurement. Waste returns submissions require the quantity to be submitted in Tonnes whilst Hazardous waste consignee returns require quantities to be submitted in Kg. NRW now require you to investigate which returns are incorrect and re-submit the incorrect one.

**Action-** look into this matter and identify which returns (waste returns or consignee returns) for Q2 2023 were submitted inaccurately. Please inform us of your findings and upon doing so, re-submit the incorrect returns to NRW.

**Deadline** – 14/03/25

#### Environment Management System (EMS)

Officers asked for both the Environment Management System (EMS) and the site permit. These were both available to hand. Officers briefly reviewed the EMS. The EMS was outdated and hadn't been referred to in quite some time.

Condition 1.1.1 requires you to have this written EMS, to ensure your activities are run according to it, and improve it if you are not compliant. It must identify the risks to the environment from your activities and explain in detail the measures you will take to prevent or minimise those risks. An effective management system will enable you to manage compliance with your permit and any other legal requirements to protect the environment.

Lack of written procedures within an EMS are often the root cause of other types of operational breaches at permitted facilities. In this case, the above non-compliances that were noted on the day are also related to EMS inadequacies. Specifically, we recommend that procedures surrounding the following should be implemented/ updated moving forward to ensure compliance:

- The loading of bagged asbestos waste into skips on site. This should include details on how staff do this in a manner that ensures the waste remains double bagged and securely wrapped.
- The procedure for double bagging/ securely wrapping asbestos waste at the site of production to prevent the splitting of bags. You may want to detail specific weight limits of bags based on the manufacturers recommended limits.
- Procedure for cleaning the skip following an incident (split bag).
- Air monitoring testing carried out within skips to monitor for asbestos fibres. How would you ensure the skip and surrounding area is safe to occupy?
- Reception of asbestos skips at site. All skips being used to transport asbestos waste for disposal at an authorised facility should be emptied effectively at the site of disposal. Any waste taken for disposal should not remain in the skip and be transported back to your

permitted facility for storage. Procedures surrounding how you ensure this is achieved should be developed. You may want to consider the reception of these skips back at your site and how suitably trained staff would check if any bags that remain in the skip would be dealt with appropriately.

- Consignee returns submissions. The process for recording information and submitting consignee returns. This should also include details on when this needs to be completed to avoid late submissions.
- Waste returns submission. The process for recording information and submitting waste returns.

A digital version of the EMS was requested but not available on the day. It is important that you have a digital copy available that you can update and review as is needed. It was agreed that this would be looked into.

**Action** – Please ensure a digital copy of your EMS is attained. Upon doing so, the EMS must be reviewed and updated in consideration with the above recommendations. Please send a digital copy of this updated EMS in full to NRW.

**Deadline-** 28/03/25

### Summary

Waste was segregated well and clearly on site. However, non-compliances with the following conditions were noted in this inspection.

- 1.1.1 (CCS breach 3)
- 2.3.1 (CCS breach 3)

Your overall score for this inspection is 8. Further information on non-compliance categories and scores can be found below.

Please ensure all actions are completed by the deadlines specified in this report.

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 2012.



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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.