

## Compliance Assessment Report CAR\_NRW0048746

**Permit being assessed:** CB3596CC.

**For:** The Old Coal Yard, **held by:** SOS Plant Hire Ltd

**At:** Park Road, Rhosymedre, Wrexham, Wrexham, LL14 3AX.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 19/06/2025 between 10:45 and 11:40.

**Parts of permit assessed:** 1.1.1.

**NRW Lead Officer:** Ian Thomas2, accompanied by Steven White.

**Report sent to:** Sean O'Sullivan, Director, on 08/07/2025.

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

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition         |
|-----------------------------------------------------------|-------------------|--------------------------|
| W2D - Waste - Operations - The site                       | C3 Minor          | Appendix 1, PARK/3002/03 |
| W2D - Waste - Operations - The site                       | C3 Minor          | Permit 4.3               |
| W2A - Waste - Operations - Permitted activities           | Action only (X)   |                          |
| W4A - Waste - Information - Records                       | Action only (X)   |                          |

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 |
|----------|--------------------------------------------------------------------------------------------------------|-------------|
| W2D      | Construction of required sleeper wall and sealed kerb. Also provide an updated site plan for the site. | 31/08/2025  |
| W2D      | Changes to the site and operation reported to NRW                                                      | 31/07/2025  |
| W2A      | Please supply a total storage of wastes and evidence documentation                                     | 31/08/2025  |

| Criteria | Action needed                                         | Complete by |
|----------|-------------------------------------------------------|-------------|
| W4A      | Copy of EMS available in office, site diary required. | 31/07/2025  |

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.

**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

On Thursday the 19<sup>th</sup> of June 2025 Natural Resources Wales officers attended site.

This was an routine site inspection for permit ref EPR/CB3596CC which was issued on the 8/8/2023. The inspection was carried out by Waste Regulation Officer Ian Thomas and Senior Waste Regulation Officer Steven White.

On our arrival at site we were met by Mr Sean O'Sullivan, director and owner of SOS Plant Hire Ltd. When officers entered the site it was noted that significant changes are being carried out to the layout and structure of the permitted area. Firstly, the old site office, which was a Portakabin construction, has been removed and a new 2 story site office has been constructed slightly further along from the weighbridge.

In the furthest southeast corner of the site, construction is being prepared for a new workshop facility. Sean explained that this will be for maintenance of vehicles. According to the site layout plan there is a requirement for a 2.5m high wooden sleeper fencing (4m high earth bund beyond), to be constructed, along with a 0.15m concrete kerb completely sealed to prevent runoff. The reasoning for this is a spring/borehole located behind this area. This requirement has not been constructed.

**Scored C3: The construction of the sleeper wall and sealed concrete kerb is a requirement on the site plan.**

**Action: Construct sleeper wall and sealed concrete kerb, and update site plan to show the true layout of the site.** Please supply this information showing designated areas and buildings.



Photo showing construction.



Area where sleeper fencing and sealed kerb is required.

The site was issued a variation to the boundary September 2023, increasing the permitted area. This extra land has now been taken up completely by storage of materials, which is a significant area.

**Schedule 1, Table S1.1, Storage of wastes listed in tables S2.1 and S2.2 shall not exceed 40,000 tonnes in total at any one time.**

**Action:** Please supply NRW with an accurate amount of waste stored on site along with



documentation to show the recorded amount.



Storage of waste materials.

Sean looks to have plans for the site, but the permit must reflect these changes with NRW being informed via the appropriate channels.

The fencing along side the railway tracks has been completed, which is good to see as the site is secure from the railways and stops access by members of the public.

We returned to the office building and checked waste transfer notes, which were filed by month. A copy of the EMS for the site is missing from the office, and also a site diary to record any incidents which have occurred that may affect the site.

**Action: Please ensure a copy of the EMS is available for all staff on site, and a site diary to record relevant information regarding the site.**

#### **Permit 4.3 Notifications.**

“4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) Natural Resources Wales shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.”

**Scored C3: Notifications are required for any changes to the site which may affect operations**

**and environmental receptors.**

NRW have concerns to the amount of change to the infrastructure and layout to the site that may impact on operations and permitted activities. Previous allocated areas for processing and storage are being repurposed and the operational running of the site is not clear.

A review of the EMS is required, whilst checking details of the operations within the EMS I noted that under **Section 3.7.2** - The operational outputs and residues produced by the site and the disposal or recovery routes envisaged are detailed as follows:

d) Rejected material will be removed from site as detailed in **Section 2.6**.

Section 2.6 of the EMS relates to Site Security. This could be misleading if an employee is looking for clarification on any rejected materials.

Thank you for assisting us with the inspection. Kind regards, Ian Thomas, Waste regulation Officer  
Please find your regulating officer's contact details below. Email:

ian.thomas2@cyfoethnaturiolcymru.gov.uk Post:

Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ 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.