

Compliance Assessment Report CAR_NRW0052310

Permit being assessed: BB3296CU.

For: Frongoch Lead Mine, **held by:** Mark Skitt

At: Frongoch, Trisant, Aberystwyth, Ceredigion, SY23 4RL.

Type of assessment: Site Inspection,

Reason: Routine.

On: 01/07/2026 between 10:15 and 11:15.

Parts of permit assessed: All.

NRW Lead Officer: Malcolm Dines, accompanied by Luke Taylor.

Report sent to: Mark Skitt, Permit Holder, on 04/08/2026.

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(a)
W2A - Waste - Operations - Permitted activities	C3 Minor	2.1.1
W3G - Waste - Emissions and monitoring - Fire	C3 Minor	3.4.1
W1A - Waste - Management - General management	Action only (X)	
W1A - Waste - Management - General management	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
3	12

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	Submit an updated Environmental Management System that accurately reflects the current site layout and activities and that specifically address the following requirements: 1) Accurately detail the pollution prevention infrastructure at Frongoch. 2) Ensure Appendix 1 contains a site plan. 3) Ensure the Management System includes the Technically Competent Manager attendance that specifies the agreed site attendance of two hours a week (or monthly equivalent). 4) Remove all references to the acceptance and treatment of ferrous and non-ferrous metals and update Appendices 2, 3, 4 and 5 to reflect that your permit does not allow the acceptance and treatment of scrap metals. 5) Review and update Appendix 7 to ensure it only refers to equipment that is used at Frongoch. 6) Update Appendix 8 to ensure your Accident and Emergency Plan reflects the fact that your site does not have drains or a drainage system and to detail how spills will be contained. 7) Update Appendices 9, 10 and 11 so that they are not blank 8) Remove references to the Environment Agency, or replace with Natural Resources Wales if necessary.	01/11/2026
W2A	Clear the bay below workshop of all wastes (including door cards and seats)	30/09/2026
W3G	Update the Fire Prevention and Mitigation Plan to reflect current site layout and activities using the current, relevant fire prevention plan guidance	01/11/2026
W1A	The Technically Competent Manager for the site must attend site for a minimum of 2 hours a week	03/08/2026
W1A	A record must be kept in the site diary, or on a separate log, of weekly operational hours. This must record the start and finish times of operations	03/08/2026
W1A	A record must be kept of the site attendance of the Technically Competent Manager, recording their arrival and departure times.	03/08/2026

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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 was an announced routine compliance visit undertaken by Malcolm Dines (Waste Regulation Officer) and Luke Taylor (Senior Waste Regulation Officer) to assess compliance with the Regulation 36 Notice issued on 23 March 2026 and which the deadline for was 28 June 2026. Officers met with permit holder Mark Skitt (Permit Holder) and Sean Stockton (Technically Competent Manager) who accompanied them during the visit.

Permit Breaches W1A - General Management - Category 3; Permit Rule 1.1.1(a)

You have been given this Category 3 breach under the above permit rule because you are failing to operate in accordance with a written management system that identifies and minimises risks of pollution. You submitted an updated management system on 28 June 2026, but this was marked "draft" and dated March 2026 which had been sent to you for review by Sean Stockton, and was not a final version. Currently the updated Management System still does not reflect current site activities.

- There are sections within the Management System that refer to the site having fully impermeable pavement, but this is not the case at Frongoch, where the only impermeable pavement is within the Workshop. In addition there are references to notifying the Environment Agency rather than Natural Resources Wales and the contact list. You must ensure that the management system reflects current site activities, operations and operational area.
- Appendix 1 - Site Plan - there is no site plan.
- The site attendance requirement of 2 hours a week (or monthly equivalent), by the Technically Competent Manager, must be stated in the Management System (See "Other Matters" below)
- Section 2.2 - The Management System states that your permit allows you to accept and treat ferrous and non-ferrous metals. This is incorrect, Standard Rules Permit 2011/03 authorises the acceptance and treatment of End-of-Life vehicles and parts only. It is accepted that this is an error by Sean Stockton because his permit allows both activities however, this error must be corrected.
- Appendices 2, 3, 4 and 5 need to be updated to reflect that your permit does not allow the acceptance and treatment of scrap metals.
- Appendix 7 needs to be reviewed and updated as it refers to equipment that your site does not have.
- Appendix 8 - Accident and Emergency Plan - the sections about the management of skills makes references to the "drains" and "drainage system". There are no drains or drainage system at Frongoch. You must update this section of the Management System to ensure that it reflects the site infrastructure and how spills will be contained at Frongoch.
- Appendices 9, 10 and 11 are blank. you must update the Managment System to include the information that is specified to be in these sections

- Remove references to the Environment Agency, or replace with Natural Resources Wales if necessary.

Because this action was a requirement of the Regulation 36 Notice, originally dated 15 December 2025 and the revised Regulation 36 Notice dated 23 March 2026, subsequent compliance scores for this breach were suspended until the notice deadline of 28 June 2026. As you have failed to comply with this action by the required deadline, ALL suspended scores for this action will be un-suspended and will count towards your compliance performance as set out on compliance report CAR_NRW0051165, dated 2 April 2026.

Action: Submit an updated Environmental Management System that accurately reflects the current site layout and activities and that specifically address the following requirements **by 01 November 2026**

- Accurately detail the pollution prevention infrastructure at Frongoch.
- Ensure Appendix 1 contains a site plan.
- Ensure the Management System includes the Technically Competent Manager attendance that specifies the agreed site attendance of two hours a week (or monthly equivalent).
- Remove all references to the acceptance and treatment of ferrous and non-ferrous metals and update Appendices 2, 3, 4 and 5 to reflect that your permit does not allow the acceptance and treatment of scrap metals.
- Review and update Appendix 7 to ensure it only refers to equipment that is used at Frongoch.
- Update Appendix 8 to ensure your Accident and Emergency Plan reflects the fact that your site does not have drains or a drainage system and to detail how spills will be contained.
- Update Appendices 9, 10 and 11 so that they are not blank
- Remove references to the Environment Agency, or replace with Natural Resources Wales if necessary.

W2A - Permitted Activities - Category 3; Permit Condition 2.1.1

You have been given this Category 3 breach under the above permit condition because you have been storing wastes such as door cards and interiors that are destined for disposal for longer than one year; and wastes destined for recovery for longer than 3 years. Where wastes for recovery are stored for longer than 3 years, we may consider them to have been disposed and can require you to remove them from site.

During this site visit we discussed what to do if, during the clear-up of the site more material was added to the existing waste pile. I have previously explained that you must be able to demonstrate that you have complied with the requirements of the Regulation 36 Notice and you will not be able to do so if you add more waste to the existing pile and that any new wastes would have to be stored separately.

Because this action was a requirement of the Regulation 36 Notice, originally dated 15 December 2025 and the revised Regulation 36 Notice dated 23 March 2026, subsequent compliance scores for this breach were suspended until the notice deadline of 28 June 2026. As you have failed to comply with this action by the required deadline, ALL suspended scores for this action will be un-suspended and will count towards your

compliance performance as set out on compliance report CAR_NRW0051165, dated 2 April 2026.

Action: Clear the bay below workshop of all wastes (including door cards and seats) **by 30 September 2026**

W3G - Fire - Category 3; Permit Condition 3.4.1

You have been given this Category 3 breach under the above permit condition because your Fire Prevention and Mitigation Plan has not been updated since the permit was applied for in 2019 and does not reflect current on-site activities.

Because this action was a requirement of the Regulation 36 Notice, originally dated 15 December 2025 and the revised Regulation 36 Notice dated 23 March 2026, subsequent compliance scores for this breach were suspended until the notice deadline of 28 June 2026. As you have failed to comply with this action by the required deadline, ALL suspended scores for this action will be un-suspended and will count towards your compliance performance as set out on compliance report CAR_NRW0051165, dated 2 April 2026.

Action: Update the Fire Prevention and Mitigation Plan to reflect current site layout and activities using the current, relevant fire prevention plan guidance **by 01 November 2026**

Other Matters

Technically Competent Manager Site Attendance

Site attendance by the Technically Competent Manager is set out in the Natural Resources Wales guidance document, "How to Comply with your Environmental Permit".

For sites with a poor compliance record, such as yours, the minimum attendance requirement is 20 percent of the time a site is operational - this is when a site is either accepting or removing waste, or undertaking any process or activity involving waste that should be under the day-to-day control of a Technically Competent Manager. For your site this includes depolluting or dismantling End-of-Life Vehicles or End-of-Life Vehicle parts).

Your Management System states that the operational hours for the site are Monday to Friday 08.00 to 17.00. This is 45 hours a week and so the minimum attendance time is 9 hours a week.

However, due to the small-scale nature of the waste operations at the site, Natural Resources Wales accept that you do not undertake waste activities all the time that you are at the site and that the 20 percent attendance requirement is excessive. Following a discussion on-site, it is accepted that you do not attend site every day of the week and, when you do accept site, you undertake waste activities for less than half the time that the site is open.

Therefore it is reasonable to consider that you undertake waste activities for no more than 15 hours a week and so the attendance requirement is 3 hours a week. Because Sean Stockton does not work at the site, Natural Resources Wales require a minimum attendance requirement of eight hours a month and this can be by attending site one day a month.

Action: the Technically Competent Manager for the site must attend site for a minimum of 2 hours a week **with immediate effect**.

Action: A record must be kept in the site diary, or on a separate log, of weekly operational hours. This must record the start and finish times of operations **with immediate effect**.

Action: A record must be kept of the site attendance of the Technically Competent Manager, recording their arrival and departure times. These records must be available for us to inspect **with immediate effect**.

Regulation 36 Notice

You were issued with a Regulation 36 Notice on 15 December 2026, which was revised on 24 March 2026, the actions required by this notice had a deadline of 28 June 2026. An assessment of compliance with these actions was the reason for this compliance visit and are detailed below.

1.1.1(a) The permit boundary must be marked in a way that enables the extent of the permitted area to be clearly identified

You have complied with the requirement to clearly mark the permit boundary by placing wooden stakes with brightly-painted tops at intervals around the site.

2.1.1 Clear the bay below workshop of all wastes, including door cards and seats.

You have not fully complied with the requirement to clear the bay below workshop of all wastes (including door cards and seats), mainly due to recent financial difficulties and not being able to pay the costs of removal. However, a significant amount of this material has been removed and you explained that this work will be completed by the end of July.

This is a significant improvement at the site and it is felt that this can now be managed under routine permit compliance.

2.3.1 Fully depolluted end-of-life vehicles, uncontaminated plastic, glass and ferrous and non-ferrous metal wastes arising from the treatment of end-of-life vehicles shall be stored on hard standing.

2.3.1 Whole un-depolluted and undamaged End-of-Life Vehicles must not be stored on grass.

These two actions regarding the de-pollution and dismantling of End-of-Life Vehicles exist as permit rules and were included in the Regulation 36 Notice to prevent you operating in breach of your permit. If you want to depollute or dismantle End-of-Life Vehicles, you must comply with the permit.

These actions can now be resolved through permit compliance.

2.4.1 All End-of-Life Vehicles and End-of-Life vehicle waste must be stored and treated within the permit boundary. Any wastes not stored within the permit boundary must be moved to within the boundary or from site.

The action requiring all End-of-Life Vehicles or End-of-Life Vehicle waste to be stored and treated inside the permit boundary means that if any of this material is stored outside the site boundary then this is an illegal waste activity and does not fall under regulation. You have carried out work to move End-of-Life Vehicles and End-of-Life Vehicle waste from outside the permit boundary and while there is still some waste outside the permit boundary, it does not pose a significant environmental risk and will be dealt with separately under enforcement.

2.3.1 Dismantling of End-of-Life Vehicles and End-of-Life vehicle parts shall only be carried out on an impermeable surface with sealed drainage system

2.5.1 To comply with the standards set out in table 2.5 of your permit: Ensure the removal and separate collection and storage of the following:

- fuel
- motor oil
- transmission oil
- gearbox oil
- hydraulic oil
- cooling liquids
- antifreeze
- brake fluids
- air-conditioning system fluids and gases
- any other fluid contained in the end-of-life vehicle unless they are necessary for the re-use of the parts concerned

These two action exist as permit rules and were included in the Regulation 36 Notice to prevent you operating in breach of your permit. If you want to depollute or dismantle End-of-Life Vehicles, you must comply with the permit.

These actions can now be resolved through permit compliance.

1.1.1(a) Submit an updated Environmental Management System that accurately reflects the current site layout and activities.

3.4.1 Update the Fire Prevention and Mitigation Plan to reflect current site layout and activities using the current, relevant fire prevention plan guidance.

Neither the action to fully update the Management System or the Fire Prevention and Mitigation Plan have been fully complied with. The Management System has had a significant update and many of the issues that remain are administrative without significant impact on operations or the environment, and should be easy to rectify.

While you have an existing Fire Prevention and Mitigation Pan, it is both out-of-date regarding the site and operations and does not meet the latest version of the guidance.

Following discussions on-site with you and Sean Stockton (Technically Competent Manager), it is felt that the outstanding issues with the Management System, and the need to update the Fire Prevention and Mitigation Plan, can be rectified easily and for these to be completed under another Regulation 36 Notice.

Recommendations

A Warning Letter will be issued for the original Category 2 non-compliance.

A Regulation 36 Notice will be issued to require you to update your Management System and Fire Prevention and Mitigation Plan to be updated to an adequate standard that accurately reflects your site and the activities being carried out.

All other matters can now be resolved through standard permit compliance

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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- W3A(2) – Emissions to air
- W3A(3) – Emissions to 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.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** 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.