

Compliance Assessment Report CAR_NRW0038481

Permit being assessed: AB3494CM.

For: Llechwedd Quarry, held by Northern Welsh Recycling Ltd

At: Blaenau Ffestiniog, Gwynedd, LL41 3NB.

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

On 01/07/2021 between 10:15 and 11:20.

Parts of permit assessed: See Below

NRW Lead Officer: Philip Harper, accompanied by David Wilby.

Report sent to: Andy Carson, Operator on 13/07/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C3 - General Management - Materials acceptance	C3 Minor	2.2.1.(a)
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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
C2	Amend EMS to reflect change in Technically Competent Manager.	30/09/2021
C3	Improve waste acceptance procedure. Dispose of non-	30/09/2021

Criteria	Action needed	Complete by
	permitted wastes.	

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.

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

NRW officers Phil Harper and David Wilby visited Northern Welsh Recycling Ltd, Llechwedd Quarry, Blaenau Ffestiniog, Gwynedd, LL41 3NB on the 1st July 2021 at 10:15 am. This was an announced site visit which was accompanied by Andy Carson Operator and Sean Carson Technically Competent Manager.

At the time of the visit weather conditions were overcast but dry.

C1 Staff Competency Training

The role of site TCM has now been transferred to Sean Carson who has obtained the relevant WAMITAB qualification.

Action: Update the Environmental Management system for the site to reflect the change in TCM by the **31st August 2021**.

C2 Management System and Operating Procedures

Areas for improvement have been identified within the site Environmental Management System, particularly within procedure LLECH – 006 which details actions to be taken if Non-complaint waste is brought to the site.

Action: Review the site EMS and ensure that its content is in line with the conditions set out by the SR 2008 No.11 permit and update accordingly by the **30st September 2021**.

C3 Materials Acceptance

A waste stockpile on site was contaminated with unacceptable wastes which included plastics, wood waste, foams and plasterboard.



While Natural Resources Wales accepts some incidental contamination, larger waste items which included a toilet cistern could have been removed by the waste producer.

Although the pile of waste appears to be primarily composed of soil and stones, there is a high level of contamination with waste types that are not permitted under the SR 2008 No.11 permit.



A **Category 3 permit breach** has been applied with respect to permit condition 2.2.1(a) “Waste shall only be accepted if it is of a type and quantity listed in table 2.2.” a warning letter has been embedded within this CAR form.

Action: WRAP compliant materials such as stones and bricks may be removed for processing. Residual waste must not be used to produce aggregate and must be taken to a site which is permitted to accept it for disposal. Retain transfer notes for review. Please ensure that this is complete by the **30th September 2021**.

Further information for your awareness.

EMS procedure LLECH – 010 described the site process for waste acceptance at the site. Please ensure that these procedures are adhered to.

Section 3 of the EMS which is titled operating techniques states that the site will be operated inline with the quality protocol for producing aggregates from inert waste.

Section 2.3 of the WRAP Quality Protocol for Producing Aggregates from Inert Waste defines the input materials and states that.

“the only acceptable input materials are the inert waste materials specified in Appendix C”.

Appendix C states that **“Table C1 lists all the input materials and their relevant ‘waste code’³ or European Waste Catalogue (EWC) code considered inert and acceptable for the production of recycled aggregate under this Quality Protocol. The table includes notes to clarify any limits and**

restrictions relating to specific waste types. Waste inputs must not contain or be contaminated with dangerous substances as described in the List of Wastes (England) Regulations 2005, List of Wastes (Wales) Regulations 2005 and List of Wastes (Northern Ireland) 2005, as amended. Incidental quantities of inert physical contaminants (such as soils, peat, clays, silts, wood, plastics, rubber, metal) may be present with the input material but must be removed during the processing of the waste to comply with the constituent requirements of aggregates standards and table B3 of this Quality Protocol.”

If a site is producing aggregates under the WRAP quality protocol for Producing Aggregates from Inert Waste it must subscribe fully to the conditions which are shown in the protocol.



C4 Storage Handling and Segregation

Stockpiles of waste and partially treated waste were segregated from stockpiles of product. No issues noted.

F1 Odour

No odours on site or outside of the site boundary.

F2 Noise

Site was operational during the inspection, no excessive noise.

F3Dust/fibres/particulates and litter

Ground conditions were damp at the time of the inspection. No dust on site, no litter outside of the site boundary.

F4 Pests/birds and scavengers

No vermin on site.

F5 Deposits on road

No deposits or mud on the road outside the site.

G2 Records of activity, site diary/journal/events

Site diary was present and completed to the standard required by the permit. No issues noted.

Kind Regards

Phil Harper

Industry and Waste Regulation Officer NW

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Please note any reference within the CAR/ permit to the Environment Agency means Natural Resources 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 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.