

Compliance Assessment Report CAR_NRW0039053

Permit being assessed: TB3590HJ.

For: Parrys Quarry Waste Transfer & Reprocessing Centre, held by Mold Investments Limited

At: Alltami, Mold, Flintshire, CH7 6NY.

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

On 25/11/2021 between 13:00 and 14:40.

Parts of permit assessed: 1.1.3, 1.4.1, 1.5.1

NRW Lead Officer: Amy Henderson, accompanied by Carys Williams.

Report sent to: Carl Smith, Site Manager on 10/12/2021.

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	C2 Significant	1.1.3, 1.4.1, 1.5.1

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

Total number of non-compliances recorded	Total non-compliance score
1	31

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
C1	Site to ensure suitable TCM is in place (action sent via email prior to CAR being sent)	03/12/2021

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

This was a prearranged site inspection of Parry's Quarry Site EPR/TB3590HJ carried out by Waste Regulation Officer Amy Henderson accompanied by Carys Williams Waste Team

Leader and Carriers and Brokers Officer Simon Roberts.

The visit was requested by Carl Smith, acting Site Manager in response to notice breaches identified on the 18th November 2021. We were met on-site by Carl Smith, who accompanied us throughout the visit.

The purpose of the visit was to discuss the measures needed by the site to ensure site drainage was brought into compliance with the permit.

On arrival at site, waste was arriving and being deposited on the area off the impermeable surface, which is not subject to the partial suspension notice in place at the time of the visit. Treatment was taking place in this area also.

Temporary measures had been put in place at the far end of the impermeable surface to direct water into the quarry void to prevent water running off-site and causing pollution, as had occurred on the 21st October 2021. Officers confirmed that this temporary measure was not sufficient enough to bring the site into compliance with the permit, so the partial suspension notice will still be in place until a sealed drainage system is put in place. Carl Smith was also reminded that Natural Resources Wales will need to be informed once the drainage work is complete and the notice will still stand until NRW have confirmed the site drainage now meets the permit conditions.



Photo showing temporary bund constructed at the far end of the impermeable area.

Officers also reminded Carl Smith that all waste material must remain within the permitted area.

During the visit Officers asked for details of the site's current TCM, however the site manager was unable to provide these details. For this site, it has been calculated that the TCM should be present onsite for 20% of the site's operational time. We therefore believe that no TCM is in place which is a breach of permit conditions. This has therefore been scored under the permit and is discussed in more detail below.

Category 2 non-compliance score under the following permit conditions (consolidated)

Condition 1.1.3 The operator shall manage and operate the activities:

(b) using sufficient competent persons and resources.

Condition 1.1.4 Records demonstrating compliance with condition 1.1.3 shall be maintained.

Minimum staffing and supervision:

Condition **1.4.1** states; Whenever the site is to receive or dispatch wastes, or is carrying out any of the specified waste management operations, it shall be supervised by at least one member of staff who is suitable trained and fully conversant with the requirements of the licence regarding;

- a. Waste acceptance and control procedures;
- b. Operational controls;
- c. Maintenance;
- d. Record-keeping;
- e. Emergency action plans;
- f. Notifications to the Agency

Condition 1.5 states; Changes in technically competence persons

Condition 1.5.1 states; Any changes in the technically competent management of the site and the name of any incoming person (together with evidence that such person has the required technical competence) shall be submitted to the Agency in writing within 5 working days of the change in management. Technically competent management and technical competence shall be as defined under section 74 of the Environment Protection Act 1990 and Regulation 4 and 5 of the 1994 Regulations.

A suitable TCM is required in order to minimise and manage the Environmental risk of the operations on site. In order to be granted a permit it must be proven that a suitable Technically Competent person is in place. Running a waste site without the relevant knowledge poses a risk of pollution, impacting on the local environment and people living in the locality. This breach has therefore been given a category 2 breach as this is deemed to have the potential to have a significant impact or effect on the environment, people and/or property.

Action; Provide confirmation of the site TCM no later than the 3rd December 2021. Although this deadline has passed on the issuing of this CAR form, this deadline was communicated to the operator via email on the 26th November 2021. This deadline was not met.

The absence of a TCM affects the operations of the entire site and as such the partial suspension notice has been extended to a full suspension notice from the 08th December 2021. This has Full Suspension Notice been issued and communicated to the company directors.

Regards,

Amy Henderson

Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer

Cyfoeth Naturiol Cymru / Natural Resources Wales

Swyddfa Bwcle / Buckley Office

"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.