

Compliance Assessment Report CAR_NRW0039109

Permit being assessed: YP3294FG.

For: Cae Bwsan, held by Paul Allport

At: Clynnog Fawr, Caernarfon, Gwynedd, LL54 5NN.

Type of assessment carried out: Audit, Reason: Routine.

On 20/12/2021 between 10:30 and 12:30.

Parts of permit assessed: see below

NRW Lead Officer: Daniel Grant.

Report sent to: Paul Allport and Eirian Allport, Site Owners / TCM on 05/01/2022.

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	C4 No impact	1.4.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	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	0.1

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	Update us on what steps you will take to address this non-compliance	31/01/2022

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.

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

This was a post incident inspection carried out by Natural Resources Wales (NRW) officer Daniel Grant (Hazardous waste regulation officer). This post incident inspection was carried out following a fire related incident that occurred at Allport's yard on the 9th December 2021 at approximately 9am. NRW were made aware of the incident by the Fire and Rescue Service.

NRW were accompanied by FRS officer Heather Jones who was carrying out an audit on behalf of FRS.

Officers were accompanied during the visit by site owners Paul and Eirian Allport. The visit consisted of an inspection of the permitted area where the fire took place, a discussion of fire preparedness around the site including the site buildings as well as documentation.

Weather conditions throughout the inspection were breezy and foggy and wet underfoot. During the visit it was established that the fire occurred within the permitted site boundary on the yard where waste is deposited (Figure 1).



Figure 1. Section of the yard (concreted section) where the waste was deposited, and the fire occurred.

Eirian described that the fire was caused by a metal trommel that was brought into site at Allport for recycling. The trommel was approximately 12 foot long and thus too large to be cut by the shredder on site (Figure 2). Therefore, an oxy-propane torch was used to cut the trommel to smaller sizes by one of the site workers. Some metal sheets inside the trommel covered some rubber seals that were hidden beneath. Upon using the torch, the rubber seals were set alight and caused a fire. The trommel contained the fire within and restricted

the fire from spreading to any other parts of the site. The FRS were called to the incident and the fire was put out.



Figure 2. Remaining pieces of the metal trommel that was brought in from a local quarry.

Officers discussed with you about containment of firewater. It was confirmed by Paul that all wastewater on site was contained and discharged down the drainage gully in the middle of the yard that connects to the site's oil interceptor (Figure 3). It was further explained that the oil interceptor is emptied annually by a licensed waste carrier and the treated water is discharged via a soakaway.



Figure 3. Drainage gully that leads to the oil interceptor seen in the middle of the yard surface.

FRS highlighted on site that you do not have a Fire Prevention & Mitigation Plan (FPMP) for your site. FPMP's are a common condition in most modern waste permits, and although it's not a condition of your permit it was discussed that you should consider implementing one for your site. I have enclosed the joint NRW and FRS FPMP guidance for your attention. Heather Jones will continue to assist you with working towards producing the FPMP.

The following non-compliances were noted following the site inspection:

C1-staff competency/ training- Permit Condition 1.4.1, Compliance Classification Scheme Category 4 breach.

This permit condition requires that "Whenever the site is carrying out any of the specified waste management operations, it shall be supervised by at least one member of staff who is suitably trained and fully conversant with the requirements of the licence regarding: Waste acceptance and control procedures and emergency action plans".

This site inspection revealed that staff were not fully conversant with emergency fire procedures on site or where to find the related documents surrounding emergency procedures. It was recommended by the FRS officer that staff should attend external training on this subject. Furthermore, this non-compliance highlights the importance of

inspecting waste as the first critical step you should undertake upon accepting waste at your site. You might want to consider re-visiting your control procedures and any training/awareness for staff to ensure compliance with this condition.

Should you wish to discuss any of this information please do not hesitate to contact me. Thank you for your time.

Regards,

Daniel Grant, Hazardous Waste Regulation Officer

daniel.grant@cyfoethnaturiolcymru.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.

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.