

Compliance Assessment Report CAR_NRW0039550

Permit being assessed: FB3734RP.

For: P M Dromgoole & Sons Agricultural Ltd, held by P M Dromgoole & Sons Agricultural Ltd

At: Broughton Cottage Farm, Mold Road, Nr Mold, Flintshire, CH4 0EW.

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

On 02/03/2022 between 13:30 and 14:30.

Parts of permit assessed: 'Specified by permit', 'Storage, handling & segregation', Reporting to Natural Resources Wales

NRW Lead Officer: Sarah Walton.

Report sent to: Martin Womack, Technically Competent Manager on 15/03/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Action only (X)	
A1 - Specified by permit	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2 Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

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
A1	As per EMS condition 1.5.6, please submit to NRW a current storage total for both inert and non inert wastes.	08/04/2022
A1	Ensure segregated wastes are stored in bays or clearly distinct piles, as per EMS condition 3.3.2.	08/04/2022
C2	The last site EMS submitted to NRW is dated 2013. This document is in need of review. Please submit to NRW an updated and revised version of the site's EMS.	08/04/2022
G4	Submit outstanding Waste return for Quarter 4 of 2021 (October-December)	08/04/2022

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

On Wednesday 2nd March 2022, Waste Regulation Officer, Sarah Walton, conducted a routine site inspection of P M Dromgoole & Sons Agricultural Ltd.

Sarah was greeted by Mike Dromgoole and Steve Amos who are Operation Managers at the site.

This was intended as a site familiarisation visit, due to a change in Regulatory Officer. The inspection began with a short discussion in the site office in which Steve and Mike explained site operations and procedures.

Some conveyance / Waste Transfer Notes were viewed to get an idea of waste types coming into site.

Martin Womack is the site's Technically Competent Manager and visits the site weekly.

Following this discussion, Mike and Sarah had a walk around site.

Permit Condition 1.1.1, EMS condition 1.5.6 A storage total will be calculated using estimates and skip volumes and weighbridge tickets from waste leaving the site to ensure compliance.

It was apparent that the site was at/nearing capacity for waste storage. The pile of untreated inert waste was quite significant and it was unclear what was product and what material still required treatment.

The site was noticeably full, with not much room to manoeuvre. The mechanical plant machinery was only just able to fit amongst the waste.

Mike mentioned that the large pile of 6F2 was due to be removed from site but there had been delays in off-taking because of delays with the intended customer of the product. It

was explained once this had been moved, this would free up more space for the waste treatment and storage.

Action: submit to NRW, current storage totals for both inert and non-inert wastes. Please also ensure that no waste is escaping from beyond the permit boundary.



1) Photograph showing stock of 6F2 product



2) Photograph showing storage of inert wastes adjacent to finished product

Permit Condition 1.1.1 EMS condition 3.3.2 ii) states '(ii) Waste will be sorted by mechanical plant into different sizes and different specifications. These segregated wastes will either be stored; in bays or in designated piles'.

The above photograph '2' shows 6F2 being stored and mixed with waste that is yet to complete treatment. The material on the right of the above photograph shows there are still contaminants yet to be removed.

Once waste has been treated, this should be stored separately and be clearly divided. This will help prevent any contamination of the final product and ensure that stock piles are clearly distinguished.

The site appears to be deviating from EMS procedure 3.3.2.

Action: Ensure segregated wastes are stored in bays or clearly distinct piles, as per EMS 3.3.2.

**Permit Condition 1.1.1 The operator shall manage and operate the activities:
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non- conformances, closure and those drawn to the attention of the operator as a result of complaints**

The site EMS is dated 2013. EMS condition 1.1.3 notes 'This document will be reviewed every 4 years as a minimum'.

Therefore, this document is in need of review to ensure that its contents are still relevant for today's procedures and operations.

The EMS states that the document was due for review 11th November 2017. The Standard Rule Permit was amended in November 2017, so the EMS should also account for these amendments.

Action: please submit to NRW, a revised version of the site's EMS.

Permit Condition 4.2.2 Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

A review of waste returns was completed following the site inspection. It was found that no return has yet been submitted for Quarter 4 of 2021.

Action: Submit to NRW, the outstanding waste return for Quarter 4 2021. This should be emailed to waste.returns@cyfoethnaturiolcymru.gov.uk.

I would like to thank Mike and Steve for their assistance throughout the inspection.

Should you have any queries regarding this CAR form, please get in touch using my details below.

Kind Regards,

**Sarah Walton
Waste Regulation Officer
03000 654 791**

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.