

Compliance Assessment Report CAR_NRW0040201

Permit being assessed: CB3297ZG.

For: New Lodge Farm, held by Gavin Griffiths Recycling Ltd

At: Pontardulais Road, Cwmgwili, Llanelli, SA14 6PW.

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

On 21/07/2022 between 10:30 and 13:00.

Parts of permit assessed: A, B, C, D, F

NRW Lead Officer: David Morgan.

Report sent to: Jake Stephens, Operations Director on 02/08/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	C4 No impact	2.2.1
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	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
B3	Ensure all site surface water is retained on site	02/09/2022

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.

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

A site inspection was undertaken on Thursday 21st July 2022. Present at the time of the inspection were: David Morgan (Natural Resources Wales), Jake Stephens (Operations Director, Griffiths Group) and Phil Rees (Technical Competent Manager, Griffiths Group).

At the time of the inspection, the weather was bright and warm with very little wind. It is noted that although the inspection took place during a sustained period of dry weather, there had been rainfall in the area during the previous day.

An inspection of the site was undertaken following which a discussion was held regarding the management of dust. Following the discussion of the Dust Management Plan, an inspection of the boundary (A48 side) was undertaken.

The following observations were made:

Permit Boundary & Site Surface Water Retention

An inspection of the operational areas of the site was undertaken with Jake Stephens and Phil Rees. Large volumes of inert waste were present on site, but all waste appeared to be compliant with the acceptable wastes list as stated in the Environmental Permit.

It was noted that the site has been reordered in recent months and that some of the waste on site was historical waste left by the previous operator.

At the eastern boundary of the site (rear of site upon entering through main entrance) operations appear to have extended past the permitted boundary of the site. A pile of inert material, mostly earth and stone, appears to be stored outside of the permitted area. Also, while in this location, it was observed that site surface water from dust suppression systems appeared to be escaping from the site.

It is noted that this land is owned by the Operator, and there was no perceivable impact to the environment, however, operations must be contained within the permitted boundary. Waste must be brought into permitted areas and site surface water must be retained on site. Although unlikely, with risk being very low, if site surface water is left to escape site, there is a possibility that in time water and silt could impact land and water adjacent to the site.

A non-compliance was recorded against Condition 2.2.1 of the Environmental Permit (Category 4 - No Impact) (ref:B3)

Drainage systems must be constructed in a manner that prevents escape of site surface water from site. **Please complete this by Friday 2nd September 2022.**

ACTION: While on site it was agreed that physical markers would be installed to reflect the permitted site boundary. **Please complete this by Friday 2nd September 2022.**

New Infrastructure

A tour of the new infrastructure, specifically the recently built 'washplant' was given. We discussed how this activity would fit in the Environmental Permit and whether this would require a permit variation. It was questioned whether this activity could be considered a 'crushing' activity, a currently permitted activity.

ACTION: Please submit a brief non-technical summary of the process in which waste is treated in this building. This summary should include waste types, processes, timeframes, resulting output materials (including a perceived change in EWC code if applicable) etc. Following receipt of this information, we can confirm whether or not this activity is allowed to take place under the current Environmental Permit.

Dust Management

Dust Management was discussed on site. On arrival to site, it was noted that the vehicle wash and other sprays were in operation. Records of daily checks were viewed. Evidence that daily inspections of the boundary were being undertaken (in relation to dust management) were provided and this is compliant with the Dust Management Plan on site.

In-depth records of weather conditions, dust/debris on access road and other measures were viewed. This is good practice in relation to the management of dust.

The Dust Management Plan states, under point 5.5, that periodic dust monitoring will take place routinely every 6 months or when complaints on visible dust plumes are identified. Whereas, at the time of the inspection, it was deemed that significant levels of dust were not escaping site, you must complete this monitoring (see Dust Management Plan, point 5.5).

ACTION: Undertake dust monitoring following protocols set out in EH40. **Please complete this by Friday 2nd September 2022.**

In a future inspection, Natural Resources Wales may wish to measure stockpile heights. The Dust Management Plan states that stockpiles will be no more than 6 meters.

Following a review of records, an inspection of the western boundary of the site was undertaken. This is the A48 side of the site where the main entrance/exit to the site is. We specifically inspected a number of points (business signs, vehicles, fences) in this area and at the time of the inspection, there was not evidence of significant levels of dust having left site.

However, owing to the nature and volume of the materials processed on site, there is potential for issues related to dust emissions. You must continue to monitor this closely.

Dust Suppression Systems

It was agreed on site that Natural Resources Wales officers would likely visit the site later in the summer to witness the dust suppression systems in full use. You must ensure dust suppression systems are maintained and coverage is available to all areas of the site.

Summary

In summary, following an inspection of the site, it was deemed that operations are largely compliant with the Environmental Permit. Some site surface water is escaping site. A non-compliance has been recorded but this activity does not appear to have an impact on the environment - you must ensure water is contained within the permit boundary.

Records are being kept of onsite dust monitoring and dust suppression systems were in use on the day of the inspection. An inspection of the boundary (west) found no evidence of significant volumes of dust leaving site.

Officers may revisit the site in coming weeks to view dust suppression systems in use to confirm that systems cover the whole site.

Please complete the following actions:

ACTION: While on site it was agreed that physical markers would be installed to reflect the permitted site boundary. Please complete this by Friday 2nd September 2022.

ACTION: Please submit a brief non-technical summary of the process in which waste is treated in this building.

ACTION: Undertake dust monitoring following protocols set out in EH40. Please complete this by Friday 2nd September 2022.

Thank you for your time during the inspection.

END OF REPORT

Any compliance criteria not highlighted in the above summary should be considered as not assessed. In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012. You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1 st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

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.