

Compliance Assessment Report CAR_NRW0041936

Permit being assessed: CB3398HW.

For: CaeGlas Colliery Co Limited, held by Caeglas Colliery Co Limited

At: CaeGlas Colliery Co Limited, Fochriw, Bargoed, CF81 9NH.

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

On 07/06/2023 between 09:30 and 10:30.

Parts of permit assessed: Various

NRW Lead Officer: Greg Gardner, accompanied by Carla Curtis.

Report sent to: Mr. Terry Rowe, Operator on 12/06/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
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	Action only (X)	
A1 - Specified by permit	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B5 - Infrastructure - Plant and equipment	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F5 - Amenity - Deposits on road	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
0	0

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	Send, electronically, environmental documents (listed in report) to your NRW regulating officer for NRW records	30/06/2023

Criteria	Action needed	Complete by
G4	Submit outstanding quarterly waste returns to NRW from date of permit issue (07/02/22).	30/06/2023

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 report details the site inspection made on the 7th June 2023 to Caeglas Colliery, Permit number EPR-CB3398HW.

Natural Resources Wales (NRW) Officers Greg GARDNER and Carla Curtis attended the Caeglas Colliery Co Limited, Fochriw, Bargoed, Mid Glamorgan, CF81 9NH, for a first site inspection at 09:30am where we met with Mr. Terry ROWE (Director / Owner) for this site. The weather was dry, sunny and mild all through the site inspection.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 2 – Significant impact or effect on the environment/people/property
- 3 – Minor impact or effect on the environment/people/property
- 4 – A non-compliance which has no potential environmental effect

PERMIT BREACHES / ACTIONS

ACTION ONLY – PERMIT CONDITION 1.1.1(a)

(C2) - MANAGEMENT SYSTEM AND OPERATING PROCEDURES

"The operator shall manage and operate the activities:

"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;"

- Documents available during site inspection however required to be sent electronically to NRW regulatory officer

Please see report content for further justification

ACTION ONLY – PERMIT CONDITION 4.2.2

(G4) - REPORTING AND NOTIFICATION TO NATURAL RESOURCES WALES

"Within one month of the end of each year, 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 year."

- Site have not sent quarterly waste returns since permit issue (07/02/22) however have not been operational since permit issue

Please see report content for further justification

GENERAL OBSERVATIONS

Caeglas Colliery Ltd operate under a standard rules SR2008 No01 – household, commercial and industrial waste transfer station environmental permit. This permit was granted to this site on 07/02/22. These standard rules will allow the operator to operate a Household, Commercial and Industrial Waste Transfer Station at a specified location. The total quantity of waste that can be accepted at a site under these standard rules must be less than 75,000 tonnes per year.

All bulking, transfer or treatment of non-hazardous waste must be carried out inside a building. Wastes can be bulked up for disposal or recovery elsewhere and can be manually sorted or separated for recovery but these rules will not allow any waste treatment activities such as screening and crushing. These standard rules will also not permit the burning of any wastes, either in the open, inside buildings or in any form of incinerator

FIRST SITE INSPECTION

The purpose of this site visit was for NRW regulatory officers to undertake a first site inspection of the newly permitted waste operation where certain topics were to be discussed with the operator, Mr. Terry ROWE.

The topics discussed as part of the initial site inspection in further detail included:

- How to comply with your environmental permit
- Purpose of an Environmental Management System (EMS)
- Technical competence such as obtaining a WAMITAB certificate
- Frequency and details of waste return submissions
- How compliance scoring affects subsistence fees
- What documents are held on the public register
- The site / operators waste duty of care
- Hazardous waste requirements

- Site infrastructure and maintenance requirements
- Purpose of a Fire Prevention & Mitigation Plan (FPMP)

The site was not operational at the time of the inspection and has not been since the issuing of the permit on 07/02/22. This is due to discussions taking place between the operator and Welsh Water (DCWW) to confirm if / when the water pipework, owned by DCWW, can be re-routed as it is currently running directly through the permitted area. Until this has been confirmed by DCWW, when the re-routing work is to be undertaken, Caeglas Colliery are reluctant to install concrete flooring in the event that it has to be dug up to amend the DCWW pipework.

There were no offensive odours, excessive noises / dust and no issues with scavengers (birds / rats) witnessed by NRW officers during the site inspection. The site is currently undertaking infrastructure works prior to being fully operational. Mr. ROWE presented to NRW Officers documentation such as the sites permit, Environmental Management System (EMS), Fire Prevention and Mitigation Plan (FPMP), Waste Management Industry Training and Advisory Board Certificate (WAMITAB) and site plan. These documents will need to be sent to NRW, electronically, for our records.

ACTION: Please send the following documents (listed below) electronically to your NRW Regulatory Officer:

- Environmental Management System (EMS)
- Fire Prevention & Mitigation Plan (FPMP)
- Waste Management Industry Training and Advisory Board Certificate (WAMITAB)
- Site Plan

DEADLINE: 30th June 2023



Photo 1 - Area where DCWW pipework runs through



Photo 2 - Inside transfer station building / permitted area



Photo 3 - Area outside permitted boundary

WASTE RETURN SUBMISSIONS

According to NRW records, Caeglas Colliery Ltd have not submitted any waste return data since the granting of their permit on 07/02/22.

Under permit condition 4.2.2. it states that *'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'*

As a reminder to the operator, please see below the waste return submission deadlines:

Waste Return Submission Deadline

Quarter	Period	Deadline
1	1 January to 31 March	30 April

2	1 April to 30 June	31 July
3	1 July to 30 September	31 October
4	1 October to 31 December	31 January

A blank waste return spreadsheet has been sent to the operator via email to ensure that they have the correct template to submit any outstanding waste returns to NRW. It would be beneficial for site management to put in place measures to ensure that the waste return data is submitted diligently quarterly. This can be done, for example, by setting calendar reminders

ACTION: Please submit all outstanding waste return data since permit issue to NRW.

NRW Officers Greg GARDNER and Carla CURTIS left site at 10.30am the same day.

If you have any issues with this report please contact Greg Gardner
on greg.gardner@naturalresourceswales.gov.uk

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource 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.