

## Compliance Assessment Report CAR\_NRW0042534

**Permit being assessed:** BB3796HD.

For: Crownhill Topsoil and Aggregates, held by Simon Stone

At: Unit 1009, Caerwent Army Training Centre, Caerwent, Caldicot, Monmouthshire, NP26 5XL.

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

On 12/09/2023 between 11:00 and 12:30.

Parts of permit assessed: Various

**NRW Lead Officer:** Chris Burge.

**Report sent to:** Simon Stone , Director on 28/09/2023.

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

| Part of permitted activity assessed (criteria)                                                          | Assessment result | Permit condition |
|---------------------------------------------------------------------------------------------------------|-------------------|------------------|
| C4 - General Management - Storage, handling labelling and Segregation                                   | C3 Minor          | 2.2.1            |
| B4 - Infrastructure - Containment of stored materials                                                   | Assessed (A)      |                  |
| C3 - General Management - Materials acceptance                                                          | Assessed (A)      |                  |
| C2 - General Management - Management system and operating procedures                                    | Assessed (A)      |                  |
| G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events | Assessed (A)      |                  |
| C1 - General Management - Staff competency/training                                                     | 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                                        | 4                          |

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 |
|----------|--------------------------------------------------------------|-------------|
| C4       | Remove waste and insure its stored within the permitted area | 31/01/2024  |

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

On Tuesday 12th September 2023 at 11:00 a planned permit inspection was conducted at Crownhill Topsoils at Caerwent Army Training Estate Permit Number BB3796HD by NRW officer Chris Burge the weather was dry and sunny at the time of the inspection.

Officer Burge was met by Roger Hopkins and Crownhill Topsoil Environmental Consultant. No incoming waste has been received for the last 6 months. The facility has been concentrating its efforts to process the existing material on site before it is taken to the new Crownhill Topsoil site in Rogiet.

Picture, one shows topsoil being stored after it's been processed awaiting transport



ACTIONS FROM PREVIOUS INSPECTION

- Breach from Previous CAR form

C3 - Storage, Handling Labelling and Segregation – Category 3 Breach – Permit Condition 2.2.1

The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit. Waste Material being stored outside the permitted area

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ACTION

Remove waste and ensure it is stored within the permitted area

It is pleasing to see that efforts have been made to remove the material as shown in the photographs below. However, as this action has not been fully complied with, a further breach of the permit will be scored.

**Photo two is a photograph from the previous inspection 14/07/22**



**Photo Three is an image of the same location from the recent inspection 12/09/23**

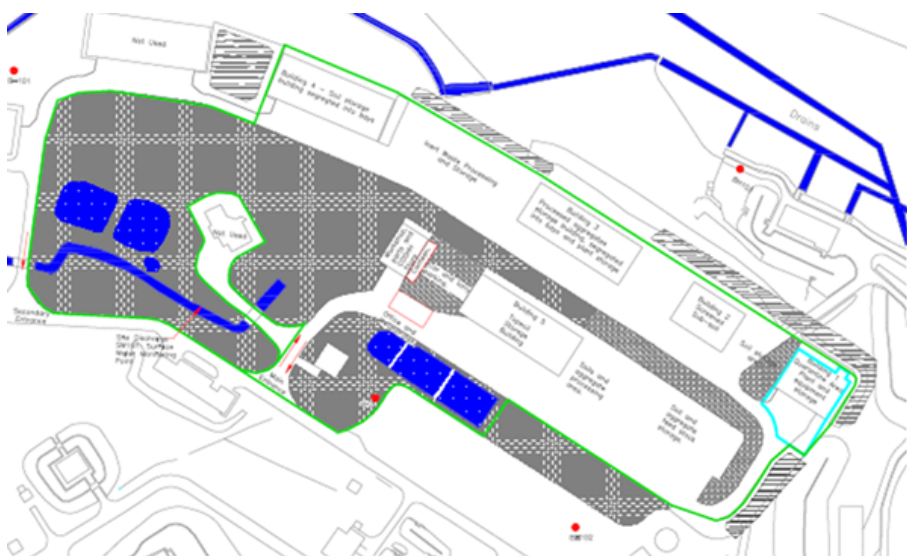


## **PERMIT BREACH**

### **C3 - Storage, Handling Labelling and Segregation – Category 3 Breach – Permit Condition 2.2.1**

*2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.*

**Waste material is being stored outside the permit boundary shown in your permit map**



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**ACTION**

Waste material marked on the map with a red circle must be removed. Ensure all waste material is stored within the permit boundary as marked on the map in green

**This must be completed by 31<sup>st</sup> January 2024**

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](mailto: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](mailto: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.