

Compliance Assessment Report CAR_NRW0042490

Permit being assessed: AN0236801

For: MAENDY QUARRY UPPER CHURCH VIL, held by VEOLIA ES CLEANAWAY (UK) LTD

At: MAENDY QUARRY, UPPER CHURCH VILLAGE, RHONDDA CYNON TAFF, WALES, CF37 1PS.

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

On 22/08/2023, between 12:30 and 14:00.

Parts of permit assessed: all

NRW Lead Officer: Natalie Wrangham.

Report sent to: Joel Candlin, unknown, on 21/11/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Emissions and monitoring - Emissions to water	Assessed (A)	
WQ-C3 - Emissions and monitoring - Emissions of substances not controlled by emission limits	Action only (X)	
WQ-D2 - Information - Reporting	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
WQ-C3	Submit quarterly readings of substances required to be recorded for assessment by improvement condition 4	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.

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 compliance assessment report will cover completion of improvement condition 3 (IC3),

assessment of environmental monitoring data for 2022 in submitted in accordance with condition 4.2 and a site visit on 22nd August 2023 carried out by Natalie Wrangham (Senior Environment Officer) and Richard Jones (Team Leader, Cwm Taf and Bridgend Environment Team).

Improvement Conditions

As per the email from the then Senior Environment Officer Hannah Goddard dated 11th January 2023, NRW accept that IC3 has been completed and that the site has entered into the IC4 phase, see excerpt from the email below:

'I'm happy to accept that IC3 has now been completed and we are into the IC4 phase. The timeframe for IC4 was to allow monitoring time of >12 months, therefore you are welcome to submit the report sooner than the 2-year deadline from this notification.'

Please note IC4 condition - *Operator to submit report to NRW reviewing monitoring data and make recommendations for improvement works if required. The report shall also review the compliance limits, parameters and monitoring frequencies, 2 years from completion of the commissioning of the works carried out in accordance with IC3.* We will take the 2 year deadline from the date of the email confirming completion of IC3, meaning the deadline for submission of the report will be **11th January 2025**.

Monitoring

The monitoring data submitted for 2022 has been assessed and no exceedances of the limits as specified in table S3.1 has been recorded. See copy of data below.

MAE001	COD	Mono-hydric phenols	Toluene		MAE002	COD	Mono-hydric phenols	Toluene
eastern	46.1	1800	125		western	34.5	840	253
	45.5	2630	226			51.8	1550	72.2
	32.9	1860	200			62.4	1400	253
	46	50	19			No flow	No flow	No flow
	46	50	1			No flow	No flow	No flow
	55	130	1			41	50	1
	39	50	1			39	50	1
	36	50	1			No flow	No flow	No flow
	35	50	1			No flow	No flow	No flow
	25	100	1			31	70	1
	29	50	31			47	50	2
	38	50	8			No flow	No flow	no flow
LIMITS (12 months)	300mg/l	5000ug/l	2000ug/l			300mg/l	5000ug/l	3000ug/l
	39	573	51			44	573	83
	mg/l	ug/l	ug/l			mg/l	ug/l	ug/l

Site inspection 22/08/2023

Weather - light rain

Officer Wrangham and Richard Jones met with John Molyneux and Mark Langabeer for a site walkover and inspection.

East Quarry - this is the section of the quarry not believed to have been used as a landfill. Leachate from the West quarry is pumped here for treatment prior to discharge. There was a strong odour on this part of the site. John and Mark described how the leachate was treated - passive treatment through substrate and constructed wetland area prior to discharge.

West Quarry - the larger area of the site, this was where the landfill was situated. The landfill area is now mainly overgrown with trees and scrub. Again, a substrate mainly composed of woodchip had been layed over a portion of the site to provide a level of passive treatment. There was less smell in general at this part of the site, however that increased as we got closer to the discharge point. The small stream at the point of discharge was discoloured orange. We were told that the pumps in this corner had a capacity of 2 cubic metres. These pump the leachate over to the East quarry for additional passive treatment and when this was exceeded the water would overflow into the stream via the discharge point.

I have some concerns regarding the orange staining and odour at the discharge point at

the West Quarry (MAE002), as this appears to be what the bulk of complaints about the site seem to be regarding. There is currently no monitoring requirements for iron or other metals on the permit, however condition 3.2.1 states '*Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions*'. I have been unable to find a copy of an emissions management plan on our DMS system. Please can you advise whether there is one for the site.

Actions

- Please confirm whether there is an emissions management plan for the site. If there is, please can it be submitted by the 13th October 2023. If the plan addresses the concerns raised I will re-evaluate the non-compliance and impact rating on the CAR form. If there is not a plan, please contact me to discuss with the aim to have one in place by 31 January 2024.

Note - actions since initial CAR form for visit

- WQ-C3 has been changed to an **action only** score requiring the operator to **submit quarterly records of the monitoring data required for improvement condition 4 starting in January 2024 for monitoring completed in the previous quarter**. This is so that NRW can more closely monitor the water quality of the discharge to address any local concerns.

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 to 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
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

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.