

Compliance Assessment Report CAR_NRW0043023

Permit being assessed: CB3391ZY

For: Bryn Aggregates Ltd, held by Bryn Aggregates Ltd

At: Gelliargwellt Farm, Gelligaer, Hengoed, Caerffili, CF82 8FY.

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

On 14/12/2023, between 10:30 and 12:10.

Parts of permit assessed: Permit compliance

NRW Lead Officer: Elis Nuttall.

Report sent to: Jennifer Price, Bryn Power Ltd , on 05/01/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
IR3E - Emissions and monitoring - Monitoring	Action only (X)	
WQ-D2 - Information - Reporting	Action only (X)	
WQ-D1 - Information - Records	Action only (X)	
WQ-A1 - Management - General management	Action only (X)	

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

2. What action is required?

Criteria	Action needed	Complete by
IR3E	Commence instantaneous/spot sampling to record the flow rate from the settlement lagoons at the consented discharge point.	11/02/2024
WQ-D2	Provide NRW with a copy of the sampling records, both emissions composition and flow rates, since the permit's issue date of 09/12/2021.	11/02/2024
WQ-D1	Provide NRW with an updated site map showing the location of all sampling and flow monitoring points on site.	11/02/2024
WQ-A1	Ensure access is maintained to all sampling and monitoring points at all times.	11/02/2024

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

CAR Form Report NRW0043023 - Settlement lagoon treatment system serving Bryn Quarry, Gelliargwellt Farm (Bryn Aggregates Limited).

Site Visit Report

On the 14/12/2023, I (NRW Environment Officer Elis Nuttall) conducted a visit to Bryn Aggregates Limited's Bryn Quarry site at Gelliargwellt Farm, Gelligaer, Hengoed CF82 8FY for a permit compliance check of the settlement lagoon treatment system (permit reference number EPR- CB3391ZY). Arriving at 10:30 I met with Jenifer Price (Site Manager). The weather was wet and mild on arrival with rain lifting gradually during the visit.

Site Observations

General Observations

This permit covers an existing rainfall dependant discharge comprised of site run-off and abstracted groundwater treated via existing settlement lagoons from Bryn Quarry. The discharge is comprised of surface water and groundwater collected in the quarry sump, which is pumped to existing surface water drains at a maximum rate of 1425 m³/day. All flows are directed to the existing settlement lagoons.

The existing lagoons are arranged in series and have been stated to be working satisfactorily over several years. The lagoons are trapezoidal in section with the following dimensions: 9m wide on the surface and 5m wide at the bottom, by 2m deep and run for a length of 170m, giving a total volume of 2380m³.

The emissions limits for this permit are as follows:

- Maximum discharge volume: Rainfall related
- Maximum rate of discharge: 88.40 l/s
- Suspended solids: 80 mg/l
- pH: 6 to 9
- Visible oil or grease: No significant trace present

The site was operational at the time of the visit.

Site Infrastructure

After arriving on sit a brief discussion was held with Jenifer regarding the permit under investigation. It was noted that this was the first compliance visit undertaken for the permit by an NRW officer since it was issued in December 2021.

Jenifer noted that there are plans to vary the permit to reflect the need to extend the settlement ponds to accommodate the increased flows from site operations. However, planning permission is to be sought first before this permit variation process is to be commenced.

All water sampling at Bryn Quarry/Gelliargwellt Farm is now undertaken by Decus Research Limited and result provided to the site operators monthly.

As it was my first visit to Gelliargwellt Farm a site walkover was conducted to outline the ongoing operations.



Figure 1 – Site visit photo: The discharge point as observed during the visit.

The discharge point was inspected and identified to be located at ST1243796214. This is in line with the consented location outlined in the permit. There were high flows at the time of the visit as evidenced in Figure 1, but this was expected due to the high rainfall level prior to the visit. No access issues were observed.



Figure 2 – Site visit photo: The discharge as it was observed leaving the settlement lagoons prior to the discharge point. A data request will confirm its composition.

The discharge itself was clear of any visible pollution as evidenced in Figure 2. A data request was actioned to assess the emission limits recorded.



Figure 3 – Site visit photo: The settlement lagoons as observed during the visit.

The settlement lagoons were significantly more silted than the final discharge as evidenced in Figure 3, however it appears that the settlement process is sufficient to remove suspended solids based on the clarity of the discharge outlined above.



Figure 4 – Site visit photo: Flow monitoring point observed during the visit.

I observed the in-situ static flow monitoring point that is in place at ST1226296091. This is evidenced in Figure 4.

While flow monitoring is being undertaken as per the conditions of the permit, this monitoring point is located ~200m downstream of the discharge point on the main channel of the stream. While possible to calculate the discharge rate of the settlement lagoons (combined with the upstream monitoring points on site), it was advised that in future instantaneous/spot sampling of the flow rate should be undertaken, as per the conditions outlined in table S3.1 of the permit.

A brief discussion was held at the site office regarding the observations made during the visit. The issue of the flow monitoring discrepancy was the main talking point with Jenifer noting she will inform Decus Research Limited to undertake the instantaneous/spot sampling of flow rate going forward. A quick review of recent sample results showed that the discharge composition was within the consented limits outlined in the permit. A full data audit will be undertaken on sampling results.

I left site at 12:10.

Breaches of permit condition

No breaches were recorded during this visit. Please see a list of actions below.

Action required by dates specified

1. Commence instantaneous/spot sampling to record the flow rate from the settlement lagoons at the consented discharge point.

Deadline: 11/02/2024

2. Provide NRW with a copy of the sampling records, both emissions composition and

flow rates, since the permit's issue date of 09/12/2021.

Deadline: 11/02/2024

3. Provide NRW with an updated site map showing the location of all sampling and flow monitoring points on site.

Deadline: 11/02/2024

4. Ensure access is maintained to all sampling and monitoring points at all times.

Deadline: 11/02/2024

Other advisory comments

No other advisory comments. I am happy with the conditions on site.

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

Contact details

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Elis Nuttall, Environment Officer, elis.nuttall@naturalresourceswales.gov.uk, 03000654651/07904606156.

Thank you,

Elis Nuttall.

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.