

Compliance Assessment Report CAR_NRW0043505

Permit being assessed: AN0243901

For: Creigiau Quarry, held by TARMAC TRADING LIMITED

At: Heol Pant y Gored, Creigiau, Cardiff, CF15 9NF.

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

On 09/02/2024, between 09:35 and 12:10.

Parts of permit assessed: Conditions 2, 3(b)(c)(d), 4, 5, 6, 7.

NRW Lead Officer: Charlotte Rhodes, accompanied by: Alex Grabham.

Report sent to: Geraint Evans, Site Manager, Creigiau Quarry, on 19/02/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B1 - Operations - Permitted activities	C3 Minor	4

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B1	In line with Condition 4, please ensure that the sample point is maintained to facilitate the collection of a representative sample.	23/02/2024

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

Site Report

Officers C Rhodes and A Grabham were met by the Site Manager and Health & Safety Advisor on behalf of TARMAC at Creigiau Quarry for a routine inspection for permit number **AN0243901**.

Weather was intermittent rain at the time of visit, with heavy rain having continued several days previous.

This permit was issued in 1997 however the site has lain dormant for circa 20 years; during investigations relating to WIRS 2402020, it was brought to light that this site has recently resumed operations, circa 6-7 weeks ago, and that a routine inspection had not previously been undertaken.

Condition 2 - The discharge from site does not involve de-watering activity and is intended to solely consist of settled surface runoff.

Condition 5 – As such, the volume is dependent on rainfall.

Treatment process

Surface runoff on this site is filtered through 3 limestone settlement lagoons, operating sequentially from 1 through 3. The flow is then carried off site via gravity, no pumping required. Currently the lagoons are overgrown and heavily silted due to lack of maintenance during the time the site was inactive, however, a Site Improvement Plan is in place which includes de-vegetation in the first instance to form a more detailed action plan once they are more visible and accessible. The retention time for the lagoons is presently unknown, but until de-silted they are likely to be very shallow.





The wheelwash facilities on-site are pumped directly into lagoon 1, for which the levels were high due to recent heavy rain - pictured above left. A breakout from the yard downhill into lagoon 2 was observed and photographed - above right - and Officers asked the Site Manager if lagoon 1 could be expanded to prevent a breach and short circuiting of the settlement system. The Site Manager confirmed there is some room to expand this in the interim ahead of the full Site Improvement Plan and instructed a 6-metre bund to be installed imminently to stem overspill – which was completed before Officers left site around midday - pictured below right.

The Site Manager had also been proactively installing aggregate filter beds along the highway to aid filtration of road runoff, to be periodically dug out as necessary, and was trying to direct all flow towards this via bunds. They mentioned that it is also part of their proposed Water Management Scheme to install a 4th settlement lagoon near to the first, but this is currently under review by the Local Authority.

Between lagoons 2 and 3 there lies a bund but this was heavily silted and overgrown, pictured below left.



Permitted discharge point

Officers were then escorted by the Site Manager and H&S Advisor to the permitted discharge point, which is not currently accessible directly from site but lies just near to the car park. Access was gained via the recreation ground and to the rear of the allotments, passing the “Old Kiln” building, but advice was given that better access is needed for routine monitoring and sampling purposes.

Condition 4 – The sampling point was not maintained to facilitate a representative sample – **see actions**.

After some discussion, it was mutually decided that the best place for this sample point to be would be next to the site entrance car park before the discharge flows down a steep face and over gabion baskets. The site manager agreed to include this in the de-vegetation plans for the site to check this was possible and added that hydrologists were due to attend site the following week to reinstate the permitted sample point and assess boreholes on site. A purchase order was also raised for reinforced fencing along the old kiln building on route to the discharge point for health & safety purposes.

Condition 3(b)(c)(d) – discharge was leaving site at the permitted location. See photo below left.

Conditions 6 and 7 – Upon reaching the permitted discharge point, flows were running clear and sampling was not deemed necessary.

**Summary**

The following actions were agreed:

1. Tree surgeons already booked in to clear the lagoons of vegetation would instead begin with the sample point to reinstate it – **in line with Condition 4** – working their way around the lagoons afterwards.
2. Dye tracing was to be arranged ASAP to check the integrity of the lagoons and aim to identify the

source of the silted channel. Officers advised that Tarmac **notify NRW incident hotline (03000 65 3000)** when doing this and consider the use of different colours for different possible pathways.

3. Site manager would keep in regular contact with Officer C Rhodes and submit storyboard(s) with photos of progress via email.

Officers then left site around midday, confirming that an aggregate bund had been placed around lagoon 1 as discussed. A confirmatory email from the site manager was received that same afternoon.

On 15th February a further WIRS nearby was received and so an update was provided by the site manager over the phone: vegetation clearance was well underway, but dye tracing had not yet been able to be booked with the contractor. Officer Rhodes advised that considering further reports and further rain forecast, silt mitigation should be installed where possible as advised by an appropriate contractor. Site manager confirmed that Walters were due on site to de-silt the lagoons at the start of next week and should be able to advise on silt mitigation.

Further comments

Although separate to the compliance inspection, the following was noted during Officers visit:

On the way to the permitted discharge point, the watercourse had been heavily silted all the way through the woodlands. Upon reaching the discharge, a stone's throw North of this point, the silt-laden flow appeared to be emanating from underneath large boulders – upstream of which was not visible. The site manager stated that upon conducting their re-opening checks in October, this channel had not been flowing. Photos below show the confluence of silted channel meeting clear flowing water; the flow of silted discharge immediately downhill of the discharge point and silted channel; and the source of the silted channel left-to-right respectively.

Officers were informed that old mines and workings are situated to the left of the quarry, but that although not part of the quarry, the land was Tarmac owned. At this point, Officers advised that under Environmental Permitting Regulations 2016 – separate to permitted discharges – landowners have a responsibility to **manage unpermitted discharges containing polluting matter** such as this and that Tarmac must investigate accordingly.

Action 3 therefore should also apply to updates on investigations as to the source of this discharge.





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.