

This form will report compliance with your permit as determined by an NRW officer

Site	Lamby Way Open Windrow Composting Facility	Permit Ref	AB3096CP		
Operator/Permit holder	Welsh Water Organic Energy (Cardiff) Limited				
Regime	Installations				
Date of assessment	27/08/2019	Time in	N/A	Out	N/A
Assessment type	Audit				
Parts of the permit assessed	As detailed				
Lead officer's name	Griffiths, Toby				
Accompanied by					
Recipient's name/position	Bleddyn Escott/ Plant Manager	Date issued	27/08/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
C2 - General Management - Management system and operating procedures	X	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Permit Ref: AB3096CP

Response to WWOE / Freeland investigation report received on 28th June 2019

Following the incident where contaminants were found on land spread with compost, NRW is undertaking an audit of management systems and procedures relating to maintaining the quality of compost, e.g. PAS 100. This request follows CAR_NRW0035053 of 17th April 2019.

1. Please send the following documentation:

- Quality Protocol – procedures and management systems
- Quality Management System
- HACCP assessment
- Relevant parts of EMS relating to composting process
- Details of rejected loads entering site for 2019
- Any other documentation relating to compliance with the Quality Protocol and suitability of material for spreading.
- Please provide the PAS100 (or other) sample results associated with land spreading in the Vale of Glamorgan in 2019.
- Contract arrangements between 4R and the land spreading contractor detailing the roles of each party.
- Customer supply information, including any declarations that it conforms to QP and appropriate for use

2. Please send all associated paperwork relating to the material sent to

- Coach House Farm Michaelstone Le Pit,
- Rhua Farm, Wenvoe
- Ty Fry, St Georges

(This should include transfer documents and declaration, tonnages, sample results and related suitability tests.)

3. While the (PAS100) paperwork seen during the visit of 17/04/2019 indicates that little or no contamination is present, our photographs of the stockpiles in Michaelston Le Pit contained noticeable levels of entrained contaminants. How do you explain this?

4. During the site visit of 17/04/2019 NRW inspected the samples results from 18/02/2019 by NRM laboratories. The results indicated zero for all contaminants. A sample from 22/01/2019 stated 0.016% and 0.0195% for contaminants. Given that some small pieces of plastic and other contaminants were seen in the final product during the visit, it seems unrealistic that the last 2 sets of analysis did not detect any plastics. How do you explain the discrepancy between the results and the final product?

5. Your investigation report indicates that samples are only taken from windrows with little or no contamination. Please clarify how this is representative of compost leaving site?

6. There is a large pile of material on site which contains large items of mixed wastes from the screening

process. Please confirm your intentions for the recovery or disposal of this material.

7. Please confirm the next date for PAS 100 sampling to enable NRW to witness this process.

8. Once WWOE / Freeland were informed of the issue of contaminated material being spread to land, were the PAS certification body informed?

Note: The Freeland internal investigation report states that the NRW CAR “*shows no non-conformities, and they were happy with end product*”. The CAR form was simply a record of the visit of 17th April. Our investigation is ongoing, and this may result in non-compliances being found. In addition, we did not assess the quality end product, but we commented that it was visually different to what was reported to have been spread on land.

Please submit the requested information and respond to the queries by **27th September 2019**.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035628**

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C2	X	Please submit the information requested by 27/09/2019	27/09/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.