

Compliance Assessment Report CAR_NRW0044640

Permit being assessed: VP3095FS.

For: Soil and Aggregates Treatment Plant, **held by:** Neal Soil Suppliers Ltd

At: Atlantic Ecopark, Newton Road, Rumney, Cardiff, CF3 2EJ.

Type of assessment: Site Inspection,

Reason: Routine.

On: 13/06/2024 between 12:30 and 14:00.

Parts of permit assessed: Waste acceptance .

NRW Lead Officer: Geraint Harris, accompanied by Kelly Sherratt, Lewis Evans.

Report sent to: Gavin Powell, Group Technical Manager, on 01/07/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2C - Installations - Operations - Operating techniques	Action only (X)	
IR2D - Installations - Operations - Technical requirements	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
0	0

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
IR2C	Provide all the documents stated under the waste acceptance heading in the main body of text.	05/08/2024
IR2D	Please provide responses to actions 2 and 3	05/08/2024

Compliance 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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Neal Soil Suppliers Limited

EPR/VP3095FS

A site inspection of both Atlantic Recycling and Neal Soils Suppliers (hereafter Neal Soils) was undertaken on Thursday 13th of June 2024. Due to internal staff movements, Neal Soils, which is regulated under the Environmental Permitting Regulations (EPR) permit – EPR/VP3095FS, has undergone a change in the Industry Regulation officer to Geraint Harris.

Permit activities and Introductory Note

The introductory note of the permit identifies three main operations which include:

- The Wash Plant.
- The Soil and Aggregate Processing Facility.
- The Waste Transfer Facility.

My first observation upon entering the site was that the waste transfer station activity is no longer undertaken. This was confirmed by Neal Soil's group technical manager who stated that this operation is no longer in effect.

Recommendation: Neal Soil's may want to consider removing this activity from their permit if they no longer undertake this activity.

My second observation is that the following text isn't correct and that no soil is spread to land at a depth of 300mm and seeded with grass.

"The throughput of the soil and aggregate processing facility is 649,000 tonnes per year. No hazardous waste will be accepted. Waste material accepted onto site is screened and sorted to remove any contaminants and inert materials, prior to spreading to land. The soil is then spread to land to a depth of 300mm and seeded with grass. The soil is then "bio treated" by adding compost and manure. The inert materials are crushed and screened for recovery purposes. Only non-hazardous wastes can be treated for recovery."

Action1: Neal Soils should update this text at the next permit variation.

Site Observations

Waste Processing

Picture 1 (annex) was taken at 12:52 and picture 2 was taken at 13:07 on the 13th of June 2024. It was explained at the time that the large brown pile on the left-hand side of picture 1 is 191212-material sent for landfill. It was further explained that this material is generated through the mixing of waste including the

191212 materials from Atlantic Recycling Ltd as well as other sources. Pictures 1 and 2 show waste being mixed, screened and piled ready to be sent off as 191212.

Action 2: Please provide details of the different types of waste (including EWC codes) being mixed together for the process in picture 1 and 2. Due 5th of August 2024.

Action 3: Please provide details of where the waste being mixed in pictures 1 and 2 has originated from? Due 5th of August 2024.

Waste Acceptance

The operating techniques within Neal Soil's permit have a number of stipulations with regards to the acceptance, handling and removal of waste from sites. As your new regulatory officer, I will focus my initial regulatory work understanding how you satisfy permit conditions; 2.3.3 (a)&(b), 2.3.4 (a-e) and 2.3.5.

Therefore, to start this process off please can you provide me with the following documents:

- Waste Sampling Procedure.
- Waste Pre-Acceptance Procedure.
- Waste Coding Procedures.
- A list of completed WM3 reports of accepted and exported materials/wastes going back as far as July 2022.
- Copies of your WM3 reports for all mirror entry wastes that left your site since July 2022.
- Training Records of staff on site – Particularly the ones that carry out the testing, acceptance, and waste coding procedures.

Action 4: Please provide all the documents stated above by the Due 5th of August 2024.

Annex 1

Picture 1



Picture 2



End.

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.

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

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.