

Compliance Assessment Report CAR_NRW0044477

Permit being assessed: AN0337201

For: Site drainage under storm conditions at Hafod Quarry, held by TARMAC TRADING LIMITED

At: Hafod Quarry, Abercarn, Newbridge, Caerphilly, NP11 5LH.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number: 2405234).

On 18/04/2024, between 11:15 and 12:17.

Parts of permit assessed: Site Operations

NRW Lead Officer: Elis Nuttall, accompanied by: Greg Gardner, Gavin Summerhill.

Report sent to: Graham Atyeo, Site Manager, on 25/07/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C2 Significant	Permit Condition 1 - The Discharge

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	Contain all contaminated site drainage on site and restrict any silty discharges leaving site.	08/08/2024

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.

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

WIRS 2405234: Hafod Quarry silt report – Incident Response

Site Report

This report details the site visits made by Waste Regulation Officer Greg Gardner on the 17/04/2024 and by Environment Officer Gavin Summerhill on 18/04/2024 to Hafod Quarry,

Abercarn. The permit reference number under assessment is EPR- AN0337201.

Officer Greg Gardner attended the River Ebbw, Abercarn in response to a report of silt pollution in the River (WIRS 2405234).

Site Observations

General Observations

The site is an active asphalt plant and sandstone quarry, owned and operated by Tarmac Trading Limited. The site holds a Trade Effluent Discharge Consent to discharge site drainage under storm conditions. This discharge is permitted to be made whilst adhering to the following limits:

- Nature: The discharge shall consist solely of trade effluent comprising of site drainage under storm conditions derived from the quarrying of gritstone at Hafod Quarry.
- As far as reasonably practicable, the treatment lagoons shall be operated as to prevent:

(a) Any matter being present in the discharge to such an extent as to cause the receiving waters, or any waters of which the receiving waters are a tributary, to be poisonous or injurious to fish in those waters, or to the spawning grounds, spawn or food of fish in those waters, or otherwise cause damage to the ecology of those waters; and

(b) The discharge from having any other adverse environmental impact

This site was operational at the time of the visit.

Site Infrastructure

Incident Response Visit 17/04/2024 – Greg Gardner (GG)

18:30 - I arrived at Ebbw Meadow (NP11 5AA), which is upstream of culvert. The main river was running clear with no evidence of pollution.



18:33 - I ventured down the footpath located at Mill Race. I could see a culvert where a murky water was emanating from.



18:35 - I substantiated the incident. I took photos / videos and ventured back to the car where I drove to the south side of Abercarn Primary School (NP11 5LH).

18:40 - I walked across the footbridge, downstream of the culvert, and could see very small evidence of silt / murky water in the main river as it had diluted somewhat. Again I took photos and ventured back to the car and travelled to Brook Street.



18:45 - Upon arrival at Brook Street I looked at the culvert which was running quite heavy with silt. I took photo / video evidence.





18:46 - The pollution was emanating from the Tarmac Hafod Quarry. The gates to the quarry were shut, locked and with no sign of activity. There was no number (emergency number) to call from the main gate.



18:50 - I was advised to take a 1 litre Plastic Gen sample to which I did at 19:00. I was informed that there were no local procedures in place for that site as well as being unable to ascertain a phone number for the site or contact key personnel within NRW for extra advice.



19:05 – I was informed to stand down and return to Rivers House.

Site Visit 18/04/2024 – Gavin Summerhill (GS)

11:15 – GS Arrived at site and asked to speak to Graham Atyeo (site manager).

11:30 – GS cautioned Mr Atyeo. Mr Atyeo was not aware that any incident causing silt pollution had taken place. Mr Atyeo advised that de-silting work had taken place the previous day on settlement pond 2. The flow through quarry pumped from pond 2 to pond 1. Mr Atyeo stated that the de-silting work being carried out would not have caused a silt discharge pollution. I proceeded to check the culvert and discharge point from site. I could confirm that both the culvert and discharge were running clear at the time of my visit as seen in photos taken.





Mr Atyeo advised he would contact Elis Nuttall as Elis has been dealing with this site. Code B given.

12:17 – I left site.

Breaches of permit condition:

Below are the permit breaches that were identified during the site inspection.

1. PERMIT CONDITION 1 – The discharge

(a) The discharge shall not contain any poisonous, noxious or polluting matter or solid waste matter.

(b) Provided that the discharge hereby consented is made in accordance with the following conditions of the consent, such discharge shall not be taken to be in breach of condition (a) above by reason of containing substances or having properties identified in and controlled by these conditions.

Action required by dates specified:

1. Contain all contaminated site drainage on site and restrict any silty discharges leaving site.

Deadline: 08/08/2024

Other advisory comments

NRW intend to escalate the enforcement against Tarmac Trading Limited given the repeat offence of contaminated water leaving site, breaching the EPR 2016 regulations. A representative of NRW will be in contact to organise a visit to site in order to discuss this escalation.

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, 03000 65 4651.

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.