

## Compliance Assessment Report CAR\_NRW0043909

**Permit being assessed:** AN0236801

For: MAENDY QUARRY UPPER CHURCH VIL, held by VEOLIA ES CLEANAWAY (UK) LTD

At: MAENDY QUARRY, UPPER CHURCH VILLAGE, RHONDDA CYNON TAFF, WALES, CF37 1PS.

**Type of assessment carried out:** Site Inspection, Reason: Incident Response (Incident number: 2402161).

On 07/02/2024, between 11:00 and 13:30.

Parts of permit assessed: 2.2 and 3.1

**NRW Lead Officer:** Natalie Wrangham, accompanied by: Paul Latham, Emily Roe01.

**Report sent to:** Mark Langabeer, General Manager, on 02/10/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B2 - Water Quality - Operations - The site	C3 Minor	2.2.1 - The activities shall not extend beyond the site and the discharges shall be made at the points marked on the site plan at schedule 7 to this permit and listed in table S3.2 (discharge points)
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Assessed (A)	

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

### 2. What action is required?

Criteria	Action needed	Complete by
WQ-B2	Operator to ensure discharge is to permitted point only. Where this is not possible because of the design of the site, discussions should commence regarding the suitability of the permit and potential variation to reflect actual site discharge activity.	28/02/2025

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.**

**At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.**

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****7<sup>th</sup> February 2024**

Maendy Quarry discharges (as per Environmental Regulations Permit AN0236801) was investigated on 07/02/2024 in response to a complaint from a member of the public regarding an odorous discharge onto the public highway which they believed originated from the quarry. The weather on the day was moderate rain.

At 11am NRW Environment Officers arrived on site. The location of the discharge was a short distance downhill from the Maendy Quarry East site boundary. The discharge had a strong chemical odour, the same as that observed on the Eastern and Western Maendy quarry site on the same day. Water Quality samples were taken from the leak in the road and from the permitted Western quarry discharge point, which was discharging at the time of the visit. A sample wasn't taken from the permitted discharge point for the eastern quarry as it could not be accessed.

The discharge coming out of the road was running down the road for approximately 130 metres. Some of the discharge was entering the highway drain a short distance down the road, the rest was running down along the side of the road and entering a field to the East of the road.





Figure 1: discharge running down road



Figure 2: discharge from Western Quarry

**12<sup>th</sup> March 2024**

The discharge from the Quarry was again investigated on 12/03/2024 following further complaints. NRW Environment Officers arrived on site at 12.20. Weather was wet with rain showers. The discharge was odorous and discoloured as before. Water quality samples were taken at the same locations as those on the 07/02/2024.



Figure 3: Discharge from road. Public right of way sign shows approximate location of



quarry boundary.



Figure 4: discoloured water entering highway drain.



Figure 5: discharge from Western Quarry

The water quality results indicate that the discharge from the road likely contained some discharge effluent from the quarry discharge as it contained many of the chemical elements and compounds identified in the Western Quarry discharge. The water quality results **did not show any non-compliance** with the current permitted emission limits in permit

AN0236801. A site visit of the Eastern quarry was conducted on 16/05/2024 and will be discussed in a separate CAR form.

### **Actions**

Correspondence was sent to contacts at Veolia on 12/02/2024 notifying them of the complaints received and action taken by NRW. Veolia were asked to :

- Assemble a plan to assess the integrity of the pipework between the quarry and the discharge point;
- Determine what action would be required to repair any damaged pipework;
- If required, assess whether there is another route of discharge for the effluent resulting in the upwelling in the road.

A deadline of 29<sup>th</sup> February was given for the plan to be submitted. This correspondence is saved to the DMS.

A response was received from Veolia on 29/02/2024 stating that:

*'there is no direct pipework connection from either the west quarry or eastern quarry / wetland area to discharge point MAE001.*

*The road drainage collection detail was installed in the late 1980's to early 1990's, and predates our involvement with the site. This appears to consist of approximately 7m length of perforated pipe that runs to the north of the two gulleys, this drains into the two gulleys. After the gully a solid pipe then takes the drainage to the discharge chamber MAE001. The solid pipe from the gully back to MAE001 is drain rodded regularly as part of routine maintenance and inspections visits, and the gully's are cleaned of debris to ensure they function correctly.'*

The clarification of no pipework connection from the quarry to the discharge point was confirmed again in an email from Veolia dated 02/04/2024. This therefore leads NRW to assume the discharge from the Eastern quarry is in fact to ground, and not direct to surface water. It is therefore feasible to consider that this discharge from the Eastern quarry may find alternative locations to exit the ground.

### **Permit non-compliance**

Condition 2.2.1 – The activities shall not extend beyond the site and the discharges shall be made at the points marked on the site plan at schedule 7 to this permit and as listed in table S3.2 (discharge points).

- A1 Maendy East Quarry; rainfall related trade effluent consisting of site drainage – MAE001 – ST 07490 87500 – Nant Ty'r Arlwydd
- A2 Maendy West Quarry; rainfall related trade effluent consisting of site drainage – MAE002 – ST 07180 87680 – Nant Ty'r Arlwydd

As stated with reference to the correspondence from Veolia above, the discharge from Maendy East Quarry does not directly discharge to MAE001, as there is **no direct pipework** between the quarry and this discharge point. Further discussions with Veolia highlighted that Maendy Eastern Quarry effluent discharges to a wetland / marshy area at



the bottom of the Eastern Quarry before making its way to the permitted discharge point. This is therefore a discharge to ground which is not covered by the current permit. Further discussions regarding the permit will be required to consider appropriate action for the site.

**An action of change permit has been added with a date on the end of February 2025. This will be subject to ongoing conversations and submission of the report due in early 2025 for improvement condition 4.**

**Additional comment added 2/10/2024 - A response was received from Veolia on the 5th August 2024 disputing NRW's conclusion that the discharge in the road was as a result of site activities not in compliance with the permit conditions. Veolia also state that water samples taken by the Operator on Maendy road differ from those taken by NRW.**

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](mailto: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](mailto: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.