

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0035328**

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

|                              |                        |             |            |     |       |  |
|------------------------------|------------------------|-------------|------------|-----|-------|--|
| Site                         | Caerhun Farm           | Permit Ref  | NB3634RX   |     |       |  |
| Operator/Permit holder       | Sion Roberts           |             |            |     |       |  |
| Regime                       | Waste Operations       |             |            |     |       |  |
| Date of assessment           | 09/05/2019             | Time in     | 13:30      | Out | 13:50 |  |
| Assessment type              | Site Inspection        |             |            |     |       |  |
| Parts of the permit assessed | see below              |             |            |     |       |  |
| Lead officer's name          | Hughes, Julie          |             |            |     |       |  |
| Accompanied by               | Briscoe, Ross          |             |            |     |       |  |
| Recipient's name/position    | Sion Roberts/ Operator | Date issued | 05/07/2019 |     |       |  |

### 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                                                                                       | C3           | 2.1                   |
| C1 - General Management - Staff competency/training                                                            | C3           | 1.1.4                 |
| G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment               | C3           | 3.5.1                 |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | C3           | 4.4.2                 |

**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.

|                                    |          |                                                                     |           |
|------------------------------------|----------|---------------------------------------------------------------------|-----------|
| <b>Number of breaches recorded</b> | <b>4</b> | <b>Total compliance score</b><br>(see section 5 for scoring scheme) | <b>16</b> |
|------------------------------------|----------|---------------------------------------------------------------------|-----------|

**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

A pre-arranged site inspection took place at Carhun Farm composting facility on the 9<sup>th</sup> May 2019. Present were Julie Hughes Regulating Officer and Ross Briscoe Senior Environment Officer (Waste).

There was no one present when we arrived on site however, Mr Roberts' Father arrived as we were about to leave.

### Observations and recorded breaches:

Some work had taken place on site since the last recorded visit:

The composted material which was being stored outside of the permitted area has now been removed and placed back within the composting shed. Thank you



Doors on both sides of the building were open during the inspection. Waste spilling out of the building, previously highlighted following the last visit, which was hindering the closure of the doors, had now been cleared. The door closing chains have also been freed. However, there is still damage to the door runner which again will stop the door from fully closing – see photograph



**Biofilter** - Work has commenced on a building to accommodate the bio-filter, but this does not comply with the permit as it is being construction in the wrong location.





Work on the bio-filter is continuing in Operators' preferred location, therefore an application to vary the permit will be required. Consisting of a normal variation, a new site-specific bio-aerosol risk assessment and new odour management plan.

The information relating to variation of permits has been highlighted in CAR form number CAR\_NRW0034696 and email dated 21<sup>st</sup> February 2019 sent by Julie Hughes also email dated 9<sup>th</sup> April 2019 sent by Environment Officer Carys Williams.

Mr Roberts' father showed the Regulating Officers a fan and vent which had been purchased for the bio-filter.





**Breach: Category 3 breach of permit condition 2.1 of criteria A1 Sepcified by Permit**

### **Monitoring**

**Bio-aerosol monitoring** – Schedule 4 of the permit (Table S4.1) requires the Operator to submit bio-aerosol monitoring reports to NRW every 4 monthly periods beginning 1 January, 1 May and 1 September. The last reports received by NRW was on the 21<sup>st</sup> January 2019 to cover the periods up to 31<sup>st</sup> May 2018 and 24<sup>th</sup> August 2018. Reports to cover 2 quarterly periods of 2019 have not been received.

**Breach: G1 Monitoring of emmissions to environment - permit condition 3.5.1 of criteria G1 Monitoring of emissions and environment**

**Monitoring of temperature** – Table 5.3.2 requires the Operator to carry out daily temperature monitoring using a thermocouple probe. The permit also requires that records are kept of the calibration of the thermocouple probe which should be undertaken on a 4-monthly basis.

**Action:** Please provide evidence to NRW that compliance with Table 5.3.2 is being undertaken by 31<sup>st</sup> July 2019

**Waste Returns** - A request for Mr Roberts to submit missing waste returns by 15<sup>th</sup> March 2019 had been made in CAR form CAR\_NRW00034712. However, it was agreed that the date for submitting the missing returns was to be extended to the **30<sup>th</sup> April** due to flooding on the farm during the recent bad weather. Agreed in email sent by Carys Williams on 9<sup>th</sup> April 2019.

Although a new date had been set for Mr Roberts to submit the missing waste returns to NRW to date NRW have not received any of the missing documentation.

The following waste returns remain outstanding

Q3 – July to September & Q4 October – December 2018

Q1 – January – March 2019

It should be noted that Q2 April – June 2019 waste returns should be submitted by the 31<sup>st</sup> July 2019.

**Breach: permit condition 4.4.2 category 3 breach of G4 Monitoring and records, maintenance and reporting – reporting and notifications to NRW.**

**Technical Competency** – NRW have still not received information from the Operator as to who is acting as TCM at the site. This information was to have been submitted by 30<sup>th</sup> April 2019 as per CARS form CAR\_NRW0034696 and email from Carys Williams dated 9<sup>th</sup> April 2019.

**Breach: permit condition 1.1.4 category 3 breach of C1 General Management staff training/ competency**

*In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.*

Regulating Officer's contact details

Julie Hughes MCIWM

Environment Officer – Waste Regulation

Maes y Ffynnon



Penrhosgarnedd

Bangor

LL57 2DW

Tel: 03000 653705

Email: [Julie.hughes@cyfoethnaturiolcymru.gov.uk](mailto:Julie.hughes@cyfoethnaturiolcymru.gov.uk)

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0035328**

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

|                        |              |            |            |
|------------------------|--------------|------------|------------|
| Site                   | Caerhun Farm | Permit Ref | NB3634RX   |
| Operator/Permit holder | Sion Roberts | Date       | 09/05/2019 |

### 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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

### 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 |              |                                                  |            |
| C1                  | C3           | provide evidence of TCM                          | 31/07/2019 |
| G4                  | C3           | submit all missing waste returns by 31/7/19      | 31/07/2019 |
| G1                  | C3           | carry out monitoring and submit report           | 31/07/2019 |
| A1                  | C3           | provide update as to when works will be complete | 31/07/2019 |



## 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](mailto: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.