

Compliance Assessment Report

Report ID:
CAR_NRW0036049

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

Site	Soil Screening And Recycling Facility	Permit Ref	FB3937RH		
Operator/Permit holder	Green Circle Sustainable Developments Limited				
Regime	Waste Operations				
Date of assessment	03/12/2019	Time in	11:00	Out	12:00
Assessment type	Site Inspection				
Parts of the permit assessed	Permit & operational area				
Lead officer's name	Warwick-Brown, David				
Accompanied by	Thomas, Ffion				
Recipient's name/position	Robert Harry/ Director/TCM	Date issued	10/12/2019		

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	X	
C1 - General Management - Staff competency/training	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

Compliance Assessment Report – Langcross Farm (EPR-FB3937RH)

Officers David WARWICK-BROWN & Ffion THOMAS conducted an inspection of Langcross Farm on 05/12/2019, 11:00-12:00. We met with Site Operator John Thomas who showed us around the site during the inspection. There were no major issues identified and no permit breaches have been scored following the visit. The weather was cold with some sunny spells.

Site inspection

Waste acceptance:

As permitted, the sites waste operation consisted of numerous large piles of grade 1 and 2 soils that originate only from greenfield sites and appeared to be well within the 75,000-tonne limit. In terms of waste acceptance, John explained that any unsuitable loads that do not fall within the permitted waste types listed in table 2.3 of the permit are rejected at the gate. Waste is generally accepted from the same customers. However, on the rare occurrence that non-compliant waste is deposited without consent, such customers are asked to return and remove such waste from the site.

Stockpile management:

The pile of soil in the South East corner of the site appeared to have stationary for considerable time due to the vegetation growing on its surface. Following conversation with Technically Competent Manager (TCM) Robert Harry following the inspection, it is understood that the whole site has been cleared within the last 3 years. However, please be aware that any material temporarily stored & destined for either recovery or treatment for longer than 3 years is considered a landfill deposit according to the Landfill Directive [1].

Screening:

Imported waste is screened then exported off site. The screening machine is serviced routinely (every 500 hours of use) and is reportedly in good condition.

Testing:

Random samples are periodically sent to a laboratory to ensure the soils on site do not contain significant quantities of environmentally hazardous elements.

WAMITAB continuing competency:

During the phone conversation with TCM Robert Harry following the inspection it was determined that the certification for the relevant WAMITAB certification is out of date.

Action: Please book a test for obtaining the required continuing competency via the WAMITAB website (<https://wamitab.org.uk/competence/continuing-competence/>) and send confirmation of the test booking to NRW by **10/01/2020**.

Quarantine area:

Permit condition 2.3.2 states that 'any waste that does not comply with 2.3.1 shall be rejected and shall be; (a) removed from the site; or (b) moved to a designated quarantine area pending removal'. Although not environmentally concerning, some piles of soil contained small quantities of non-compliant waste material such as plastic.

Advice & Guidance: Please ensure that such wastes are either removed or stored in a quarantine area as required within this permit condition.

Site drainage/surfaces:

Soils were either stored on hard-standing or on an impermeable surface as required within table 2.4, permit condition 2.4.1. This condition states that this operating technique applies to locations outside of groundwater Source Protection Zones 1 & 2 – our mapping system has been checked and it's confirmed that the farm is located outside of these areas.

Thank you for taking the time to show us around the site during the inspection.

If you have any issues with this report please contact David Warwick-Brown on 0300 065 3683 or david.warwick-brown@cyfoethnaturiolcymru.gov.uk

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.

References:

[1] Section 3.5, Environmental Permitting Guidance, The Landfill Directive, For the Environmental Permitting (England and Wales) Regulations 2010
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69347/pb13563-landfill-directive-100322.pdf

EPR Compliance Assessment Report

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Operator/Permit holder	Green Circle Sustainable Developments Limited	Date	03/12/2019

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
A1	X	Please ensure that such wastes are either removed or stored in a quarantine area as required within this permit condition.	10/01/2020
C1	X	Please book a test for obtaining the required continuing competency via the WAMITAB website and send confirmation of the test booking to NRW	10/01/2020

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.