

Compliance Assessment Report

Report ID:
CAR_NRW0034718

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

Site	Cowbridge Compost Ltd	Permit Ref	BP3095SR			
Operator/Permit holder	Cowbridge Compost Ltd					
Regime	Waste Operations					
Date of assessment	14/08/2019	Time in	11:10	Out	14:00	
Assessment type	Site Inspection					
Parts of the permit assessed	A1 Open Windrow Composting					
Lead officer's name	Tye, Laoni					
Accompanied by	Neil Davies,Rohini Sawant					
Recipient's name/position	John Homfray, Gary Goodge/ Director and site manager	Date issued	19/08/2019			

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.3.1
C2 - General Management - Management system and operating procedures	C3	1.1.1

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	2	Total compliance score (see section 5 for scoring scheme)	8
-----------------------------	---	---	---

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

We attended site on the 14th August 2019 with Laoni Tye (Regulatory officer), Neil Davies (Air Quality specialist advisor) and Rohini Sawant (Waste permitting officer). We met with Sandra (D&F Associates) Gary Goodge (Site manager) and John Homfrays (Director). The purpose of the visit was to discuss bi-aerosol monitoring and inspect the open windrow composting activity (OWC). The waste transfer station was not inspected on this occasion. The weather was wet at the time of the visit and it had been raining that morning. We thank you for your time during the visit which we found productive.

There were breaches recorded during the visit which were discussed at the time of the visit and actions agreed.

C2 – Management Systems. Category 3 breach.

Permit condition 1.1.1 states that the operator shall manage and operate the activities: a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints..

There were non-compliances witnessed on site in relation to site drainage that can be attributed to failures in management procedures on site. This is therefore being scored as the root cause of breach B3, site drainage below. Infrastructure checks should ensure it is working effectively, with blockages cleared of debris to ensure the system is working as it should be. Run off could be seen coming off the concrete pad which should have been identified by site previously and remedied at the time. Actions on infrastructure are included in breach below.

SSBRA and EMS

As discussed, the SSBRA and EMS require updating so that they reflect the current on-site activities and processes. It was agreed that this would be actioned and it is our understanding that works to update these have already begun. The SSBRA does not currently identify all sensitive receptors within 250 metres of the storage and treatment area as required. There are workshops and rented areas, along with staff offices and welfare rooms, residents which have not been identified. The processes have also changed since the SSBRA was produced in 2015 with all green waste composting activities now occurring outside. The site layout has also changed and site plans require updating. A full review of this document, along with the EMS and any other associated documents is required. We discussed prioritisation during the meeting and we suggest that the SSBRA is updated first with sensitive receptors, to assist with bio aerosol

monitoring.

Action: SSBRA to be updated by the 16th September 2019.

Action: EMS to be updated by the 30th September 2019.

Action: A review and update of any other relevant documentation to reflect changes.

B3 – Site drainage engineering (Clean and foul). Category 3 breach.

Permit condition 2.3.1 states that the activities shall... be operated in line with Schedule 1, Table S1.1. Table S1.1 states that the storage and physical treatment of wastes shall take place on an impermeable surface with sealed drainage system.

Whilst on site we witnessed run off running from the OWC area off the concrete pad and onto the hardstanding track. The run off was leading down towards a drainage ditch and it is likely that contaminated water from the waste storage area is able to run off the concrete pad and into the drainage ditch. It was agreed whilst on site that the situation would be remedied and that a drain would be put in to this area to the leachate lagoon to ensure all run off is collected via the sealed system. This should be done as soon as possible.

The area from the maturation pad also does not meet the definition of sealed drainage. Run off could be seen coming from the area and flowing down onto the area of hardstanding and onto the track. There were discussions about putting in a drain to pipe water onto the main storage area and then into the leachate lagoon.

Action: Improvements to the drainage required to ensure it a sealed drainage system, due by 30th September 2019.

There were areas of standing water witnessed on the treatment and storage area on site which needs to be remedied. There was a blocked drain which was causing dirty water from the treatment area to pool on site.

Action: The drains need to be cleared to ensure that they are working effectively and that site drainage flows into the leachate lagoons as permitted.

Other comments

Bio-aerosol monitoring

Agreements were made between NRW and D&F Associates which are outlined below:

- While sample point locations are indicated on the site diagram, actual sampling locations will be represented by the supplied coordinates. Any plans and/or diagrams will be assumed to be indicative only unless stated otherwise.
- Future reports will state that while Task Force Paintball has been identified as a possible receptor, due to its large extent, lack of information regarding occupancy & specific location of activities and extensive screening by surrounding trees from identified bioaerosol sources; this location does not need to be considered as a sensitive receptor for the purposes of bioaerosol impact assessments.
- Due to the extensive size and nature of the distributed sources (i.e. holding sheds, screening areas, maturation areas etc.), we (NRW) agree that measurement of receptor distance from the “source area” undertaken from the boundary, not the centre, of the source area is considered more precautionary as it is likely to capture additional sources.
- The operator will install suitable meteorological measurement equipment (i.e. at a height and measurement integration time to meet guidance requirements and be as free as practicable from localised topographical influences) which will provide a wind direction which can be taken as indicative of site conditions for the purpose of locating upwind and downwind sampling positions (Sandra to liaise with operator to facilitate this).
- In order to increase sensitivity at downwind sampling locations, sampling at downwind locations will use direct impaction techniques (e.g. MAS100 samplers) while sampling at upwind and sensitive receptor locations (when the receptor is not downwind and sampling is being undertaken in accordance with AfOR guidance) may be undertaken using filter capture methods. This will be reviewed after a trial period to be agreed with D&F to determine whether it is viable for all future ongoing sampling at this site (Sandra, shall we review after the second sampling campaign using this method so we can agree that this method is providing “reasonable” results at both upstream & downstream locations?).
- During sampling, the operator has agreed to prevent (as much as practicable) any site traffic movements likely to impact the sampling locations.
- Future bioaerosol sampling reports will include all plate count data (possibly as an appendix) to provide context for uncertainty estimates of calculated bioaerosol concentrations at sampling locations.
- Future bioaerosol sampling reports will include a statement of confirmation that microbiological techniques that deviate from the guidance have been validated either by in-house studies or suitably peer reviewed studies (as a footnote is acceptable).
- Both D&F and NRW (AQMRAT) have agreed that any discrepancies in statements relating to detection limits will be re-addressed following any future revision/updating of the current guidance. It is agreed that current definitions and calculation methodology in the guidance is not sufficiently detailed at present to address this issue.

We discussed the reporting periods for monitoring to be submitted and agreed that monitoring would be done on a quarterly basis with the report being submitted at the end of the following month i.e January to March with submittal end of April.

Other actions

Please can we request the following:

- The latest compliance report (annual) from certified body in relation to PAS 100.
- Internal investigation and findings from odour incident mentioned in meeting (digestate)

FPMP

We are still in the process of reviewing the FPMP submitted for OWC and will provide comments in due course.

If you have any questions please get in touch with your regulatory officer.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034718**

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

Site	Cowbridge Compost Ltd	Permit Ref	BP3095SR
Operator/Permit holder	Cowbridge Compost Ltd	Date	14/08/2019

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			
C2	C3	See comments in CAR form	30/09/2019
B3	C3	See comments in body of CAR form	30/09/2019

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. 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.