

Compliance Assessment Report

Report ID:
CAR_NRW0036776

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

Site	GELLIGAER QUARRY ATTENUATION PONDS	Permit Ref	PB3293HA		
Operator/Permit holder	HANSON QUARRY PRODUCTS EUROPE LIMITED				
Regime	WaterQuality				
Date of assessment	23/06/2020	Time in	15:00	Out	16:00
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	2.1 Permitted activities				
Lead officer's name	Handley, Rhys				
Accompanied by	Burton, Luke				
Recipient's name/position	Christopher Evans/ Site Manager	Date issued	10/07/2020		

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	C2	2.1 Permitted activities

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	1	Total compliance score (see section 5 for scoring scheme)	31
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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

Visited Gelligaer Quarry with Environment Officer Luke Burton on the 22.06.20 at 15:00, weather was dry and bright. Five days before was an afternoon of very heavy rain.

Due to reported incident (WIRS 2004363), we arrived at the Nant Caeach where we witnessed sediment in suspension and settled sediment in the watercourse. We proceeded to follow the watercourse approximately 3km upstream until we came to the discharge point at Gelligaer quarry. During the watercourse inspection it became apparent that sedimentation had occurred as evidence of sedimentation mobilisation was apparent on the water body, bed and banks.

Met site manager Christopher Evans and went to the permitted discharge point. Witnessed 6 inch bower coupling pipe that pumped water directly from the quarry void. The pipe was discharging to a small stream which originates from site. Stream was running visibly clear. Sample from pipe taken, effluent appeared visibly clear and contained much below the permitted suspended solids of below 100 mg/l.

Whilst carrying out site visit, noticed small attenuation pond located above the discharge point full of waste aggregate material likely coming from the dust tips located nearby. Attenuation pond was full at the time holding little water. Ponds purpose was to collect water from the surrounding area mainly dust tip run off and discharge onto the quarry void. Staining suggests that water level had been higher (estimated 1ft) previous to our site visit and potentially could cause a discharge to the small stream without treatment.

On further inspection, road located between the attenuation pond and discharge showed evidence of ponding water that also had potential to enter the discharge point without proper water treatment. There was no site traffic using the road on visit.

Looking from viewing point into the void, the water appeared clean. However, witnessed more dust tips located at the bottom of the void near the water's edge. Dust tips showed evidence of water erosion that would ultimately end up in the void water.

Currently void water is being pumped regularly and directly to small stream without water treatment and not coinciding with permit S1.1 Activities - *The discharge is to be made via an attenuation pond* or the operations set out in the permit application.

Natural Resources Wales has received no notification in a change of discharge or effluent treatment operations from Hanson. Condition 4.3.5 states - The operator shall notify Natural Resources Wales of any change in operations on site.

Natural Resources Wales are of the opinion that a combination of the above points may have caused sediment, above that allowed under the site's permit, to enter the Nant Caeach.

Therefore, I insist on the following ACTIONS:

Action 1: To abide with your permit, Hanson must dewater the void by passing through the allocated settlement lagoon that was discussed in your permit application for water treatment prior to discharge. Please ensure all your drainage operations match the those specified in your permit application and permit, or, apply to vary your permit. Please let me know which option you wish to take.

Action 2: Heavy rainfall is causing the current site drainage to be overwhelmed and discharge untreated effluent. As adverse weather conditions are becoming more frequent due to climate change, Hanson must take appropriate measures to ensure the treatment system can contain and treat all effluent prior to discharge, or, apply for a separate storm discharge permit. These measures may include: regular de-silting, maintenance and a review of the capacity of the pond, with respect of its ability to control and deal with all run off. Please let me know which option you wish to take.

Action 3: Haul roads located at the site boundary show no mitigation measures in place to prevent site run off leaving the site prior to water treatment. As discussed on site, Hanson must ensure all site drainage, including site haul and accesses roads, goes through water treatment before discharge.

Action 4: Dust tips within the quarry void looked to be eroding the ponding water being pumped. Consideration must be made with its sediment build up, caused by run of from the adjacent dust tips which may compromise the ponds effectiveness to treat the discharge. Review your void operations so to minimise sediment entering the pond.

EPR Compliance Assessment Report

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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	C2	See report	07/08/2020

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.