

Compliance Assessment Report CAR_NRW0037338

Permit being assessed: DP3095FK.

For: Coed Top Hill, held by Caerphilly County Borough Council

At: B4254, Gelligaer Road, Gelligaer, CF82 8FY.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 15/01/2021.

Parts of permit assessed: 1.2.2

NRW Lead Officer: Jak Rose.

Report sent to: Caerphilly County Borough Council, Operator on 08/02/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

No action required.

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.

At this time, we do not intend to take any further action.

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

This is a desk-based audit of the 2020 Waste Return submissions for Caerphilly County Borough Council located at Coed Top Hill, B4254, Gelligaer Road, Gelligaer permit number EPR-DP3095FK conducted by Officer Jak Rose on 15 January 2021.

To remind the operator, following each assessment Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the audit. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions. This can affect your site banding and annual subsistence fees; scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 2 - Significant impact on effect on the environment/people/property
- 3 - Minor impact or effect on the environment/people/property
- 4 - A non-compliance which has no potential environmental effect

PERMIT COMPLIANCE

Permitted quantities of waste - Condition 1.2.2:

"The total quantity of waste accepted at the site per year shall not exceed 4,999 tonnes".

The operator is within its annual throughput in 2020 according to the quarterly returns. It is essential that throughput limits are monitored during each quarter to ensure that the annual amount is not exceeded.

There were approximately 4,153.84 tonnes accepted at the site in 2020.

Due to the error on the waste returns, this has now been amended to reflect the accurate throughput. Please ensure correct quantities are entered before submitting them.

WASTE RETURNS OBSERVATIONS

Quarter 1

- The site submitted its 2020 Quarter 1 spreadsheet on 3 April 2020 declaring that 828.89 tonnes were accepted, and 524.48 tonnes were removed.
- In 2020, Technically Competent Manger (TCM) details were required to be populated on the Waste Return documents - this was correctly filled out by the operator.
- The operator has declared that 1837.78 tonnes were accepted were accepted to site - street-cleaning residues which has been coded as **20 03 03**. 524.48 tonnes have been removed, coded as **20 03 03** street cleaning residues.
- **D.08 biological treatment for the purpose of disposal** code Wastes are being correctly coded under a 20 code which constitutes municipal wastes (household waste and similar commercial, industrial and industrial waste) including separately collected fractions:
 - 20 03 03 street cleaning residues
- No unauthorised waste streams (such as hazardous wastes) accepted to site.

- The destination of the waste removed goes to a facility in Cardiff under a recovery code **R03.07 recycling** code. A total of 524.48 tonnes were removed.

Quarter 2

- The site submitted its 2020 Quarter 2 spreadsheet on 22 July 2020 declaring that 705.4 tonnes were accepted, and 293.54 tonnes were removed.
- In 2020, Technically Competent Manger (TCM) details were required to be populated on the Waste Return documents - this was correctly filled out by the operator. Please be aware that the expiry of the continuing competency on there is 14/01/2020.
- The operator has declared that 1714.29 tonnes were accepted were accepted to site - street-cleaning residues which has been coded as **20 03 03**. 293.54 tonnes have been removed, coded as **20 03 03** street cleaning residues.
- **There is no disposal code** for the waste received in Quarter 2. Wastes are being correctly coded under a 20 code which constitutes municipal wastes (household waste and similar commercial, industrial and industrial waste) including separately collected fractions:
 - 20 03 03 street cleaning residues
- The destination of the waste removed goes to a facility in Cardiff under a recovery code **R03.07 recycling** code. A total of 293.54 tonnes were removed.

Quarter 3

- The site submitted its 2020 Quarter 3 spreadsheet on 29 October 2020 declaring that 868.95 tonnes were accepted, and 563.33 tonnes were removed.
- In 2020, Technically Competent Manger (TCM) details were required to be populated on the Waste Return documents - this was correctly filled out by the operator. The expiry of the continuing competency is 01/01/2021.
- The operator has declared that 868.95 tonnes were accepted were accepted to site - street-cleaning residues which has been coded as **20 03 03**. 563.33 tonnes have been removed, coded as **20 03 03** street cleaning residues.
- **D.08 biological treatment for the purpose of disposal** code Wastes are being correctly coded under a 20 code which constitutes municipal wastes (household waste and similar commercial, industrial and industrial waste) including separately collected fractions:
 - 20 03 03 street cleaning residues
- The destination of the waste removed goes to a facility in Cardiff under a recovery code **R03.07 recycling** code. A total of 563.33 tonnes were removed.

Quarter 4

- The site submitted its 2020 Quarter 3 spreadsheet on 7 January 2021 declaring that 1750.6 tonnes were accepted, and 710.12 tonnes were removed.
- In 2020, Technically Competent Manger (TCM) details were required to be populated on the Waste Return documents - this was correctly filled out by the operator. The expiry of the continuing competency is 01/01/2021.

- The operator has declared that 1750.6 tonnes were accepted were accepted to site - street-cleaning residues which has been coded as **20 03 03**. 710.12 tonnes have been removed, coded as **20 03 03** street cleaning residues.
- **D.08 biological treatment for the purpose of disposal** code Wastes are being correctly coded under a 20 code which constitutes municipal wastes (household waste and similar commercial, industrial and industrial waste) including separately collected fractions:
 - 20 03 03 street cleaning residues
- The destination of the waste removed goes to a facility in Cardiff under a recovery code **R03.07 recycling** code. A total of 710.12 tonnes were removed.

If you have any issues with this report, please contact Officer Jak Rose on jak.rose@naturalresourceswales.gov.uk

We look forward to working with the site in 2021.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales Establishment) Order 2012

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 of 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	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

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 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

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.