

Compliance Assessment Report CAR_NRW0037701

Permit being assessed: AB3891ZU.

For: Ty Mawr Farm Former Landfill, held by Edward Shervington

At: St Brides, Wentlooge, Newport, NP10 8SF.

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

On 16/02/2021 between 11:45 and 12:15.

Parts of permit assessed: A / B / C / D / F / G

NRW Lead Officer: Greg Gardner, accompanied by Alex Bowder.

Report sent to: Edd Shervington, Technically Competent Manager on 09/03/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
B5 - Infrastructure - Plant and equipment	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
D2 - Incident Management - Accidents, emergency and incident planning	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G1 - Monitoring and Records, Maintenance	Assessed (A)	

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
and Reporting - Monitoring of emissions and environment		
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Assessed (A)	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	Assessed (A)	
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 report details the site visit made on the 16th February 2021 to Ty Mawr Farm Former Landfill, Newport, permit reference number EPR-AB3891ZU.

Officers Alex BOWDER and Greg GARDNER attended the Ty Mawr Farm Former Landfill site at St. Brides, Wentlooge, Newport, NP10 8SF for a routine site inspection at 11:45am where we met with Mr. Edward SHERVINGTON (Technically Competent Manager). The weather was dry, and reasonably cold which it had also been the previous day.

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

- 1 - Major, serious persistent and/or extensive impact on the

environment/people/property

- 2 – Significant impact or 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 HISTORY

See below extract from permit regarding variation history.

Status log of the permit		
Description	Date	Comments
Application EPR/AB3891ZU/A001	Duly made 15/01/18	Application for deposit of waste to land as a recovery operation
Additional information received in response to Schedule 5 notice sent on 07/03/18	20/03/18	Information relating to how the risk to reens and drainage ditches will be minimised
Additional information received in response to Schedule 5 notice sent on 20/04/18	02/05/YY	Information regarding technical competence requirement
Permit determined EPR/AB3891ZU	03/05/18	Permit issued to Edward Shervington

GENERAL OBSERVATIONS

Ty Mawr Farm Former Landfill site operate under a tier 3 bespoke permit for the permanent deposit of waste to land as a recovery operation. The only permitted activity is the recovery of waste. Activities involving disposal of waste are not allowed. The permit allows the operator to store and subsequently use waste for the purposes of restoring part of a former landfill, as detailed in the approved waste recovery plan. Waste can be stored on site prior to use. There is to be no-pre treatment of waste prior to use. Permitted wastes do not include hazardous wastes. The total quantity of waste that can be stored and subsequently used at the site under this permit shall not exceed 189,741 tonnes in total (and no more than 75,000 tonnes annually). The site was operational at the time of the site inspection.

AREA OF SITE INSPECTION

The below screenshot has been taken from the EPR-AB3891ZU permit to indicate the area (outlined within the green lines) that was inspected. Please note, this site holds two permits EPR-AB3891ZU and EPR-KB3997TQ.



Site plan for permit EPR-AB3891ZU

WASTE ACTIVITIES - WASTE RECOVERY

NRW officers duly walked around the site inspecting the deposited areas of soil whether is has been deposited prior or following the screening process. There were no excessive size piles of soil that would cause an environmental / health and safety concern and the area was generally in a good condition (as seen in photos 1, 2 and 3). The soil contained small amounts of stones / aggregates which is a permitted waste for this site within the sites waste recovery plan. NRW Officers deemed that operations were being carried out in accordance with the approved waste recovery plan.

**Photo 1** - Close up of soil found on permitted area



Photo 2 - Area of stored soil found on permitted area



Photo 3 - Area of stored soil found on permitted area

SITE INFRASTRUCTURE

During the site inspection there were no apparent issues with the sites drainage / infrastructure, which was in good condition. Due to the amount of heavy machinery using the site such as JCB's / tractors / HGV's, this should be regularly inspected to ensure that any hardstanding areas remains intact and impermeable, whilst under heavy usage.

WASTE RETURN SUBMISSIONS

Further details of the waste return data can be found on a separate CAR form that was issued for this site on 12/02/21, Report ID - CAR_NRW0037400.

NRW officers Alex BOWDER and Greg GARDNER left site at 12:15pm.

I look forward to working with the site in future.

If you have any issues with this report please contact Greg Gardner on greg.gardner@naturalresourceswales.gov.uk

Thank you

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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.