

Compliance Assessment Report CAR_NRW0038402

Permit being assessed: AB3398HE.

For: Grosmont Lagoon, held by Whites Recycling Ltd

At: Wood Farm, Grosmont, Abergavenny, NP7 8LB.

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

On 14/06/2021 between 10:00 and 11:00.

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

NRW Lead Officer: Greg Gardner, accompanied by Anthony Bruten.

Report sent to: Colin Needham, Technically Competent Manager / Farm Liaison Manager
on 24/06/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor (Suspended)	1.1.1
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)	
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)	

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
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
1	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?

Criteria	Action needed	Complete by
C2	Replace cover over slurry lagoon to reduce amount of odour complaints received or vary current permit to remove the requirement of a cover over the slurry lagoon	30/07/2021

Action criteria codes are listed in the 'Important information' section below.

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 14 June 2021 to Whites Recycling Ltd, located at Grosmont Lagoon, Wood Farm, Grosmont, Abergavenny, NP7 8LB, permit number, EPR-AB3398HE .

Officers Greg GARDNER and Anthony BRUTEN attended the Whites Recycling Ltd, Grosmont facility for a routine site inspection of their environmental permit, EPR-AB3398HE. The inspection took place at 10:00am where we met with Ms. Anita SMART (Farm Liaison Manager), Mr. Colin NEEDHAM (Farm Liaison Manager) and Mr. Robert ROBERTSON (Farm Owner). The weather was sunny and hot which it had also been the previous day.

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 people/property/environment
- 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 COMPLIANCE - BREACHES

SUSPENDED SCORE CATEGORY 3 BREACH – PERMIT CONDITION 1.1.1
(C2) – GENERAL MANAGEMENT – MANAGEMENT SYSTEM AND OPERATING PROCEDURES <i>“In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints”</i>
• Breach of EMS / Odour Management Plan due to complete removal of cover and failure to replace cover in reasonable timescale Please see report content for further justification

PERMIT HISTORY

See below extract from permit regarding variation history.

Status log of the permit

Description	Date	Comments
Application PAN-001078	Duly made 14/12/16	Application for a storage lagoon.
Additional information received in response to Schedule 5 notice	09/01/12	Revised site plan, confirmation of recovery codes and waste codes.
Additional information received in response to Schedule 5 notice	24/01/17	Odour management plan.
Additional information received in response to email	10/02/17	Revised Environmental management system including spillage procedure, lagoon maintenance and containing the correct contact details and regulator references.
Permit determined EPR/AB3398HE	29/03/17	Permit issued

GENERAL OBSERVATIONS

Whites Recycling Ltd, Grosmont operates under a Tier 3 bespoke permit for a storage lagoon for the storing of waste prior to land spreading for agricultural benefit. Only liquid and sludge wastes are to be accepted to this site and the treatment operations are limited to mixing of the waste and all treatment is for the purpose of recovery only. The maximum quantity of waste accepted on site shall not exceed 48,000 tonnes per year and no more than 6,782 tonnes of waste is to be stored at any time and waste is to not be stored for longer than six months. This permit does not allow any point source emission into surface waters or groundwater except if clean, rainfall dependant drainage from areas of the site not used in connection with the storage and/or treatment of waste. Also, the burning of any wastes, either in the open, inside buildings or in any form of incinerator is not permitted.

This site is permitted to accept non-hazardous and hazardous wastes. The total quantity of waste accepted at site shall not exceed 74,999 tonnes a year. The site is operational and was so during the site inspection. There was no waste stored outside of the designated permit boundary at the time of site inspection.

WASTE ACTIVITIES - SLURRY WASTE

From an email sent to Officer Anthony BRUTEN (13/04/21), Whites Recycling indicated that the formation of a thick crust of solid slurry material has been created under the cover which covers the lagoon. Due to the hot weather this “cooks” the slurry material making it difficult to process (break up and mix) into the liquid when emptying. Whilst removing the liquid, from underneath, the cover has become trapped as this crust cracks, stretching the cover until rips. During this time, the subsequent winds have then made the rips in the cover worse.

During the site visit, NRW Officers noted that the site had not yet replaced the cover (as seen in photos 1 and 2) since this was first indicated to Officer Anthony BRUTEN on 13/04/21. The cover over the slurry lagoon is a requirement within their environmental permit (EPR-AB3398HE) and a breach of their Odour Management Plan (section 1, overview & objectives) located within their Environmental Management System. There have been some odour complaints from locals which have increased since the cover has been removed. During the site inspection, there was no waste located outside of the permitted boundary and the waste

within the lagoon, except for the removal of the cover, was of no immediate concern.

Whites Recycling have been proactive in notifying NRW of this incident and have proposed this is a temporary measure and will put a suggestion forward to fix the cover issue. Going forward Whites Recycling may vary their permit in order to keep the cover off permanently. Details on how to vary their permit are on the below link and will also be sent to them directly by NRW Officers.

Waste Permit Variations - [Natural Resources Wales / Apply to vary \(change\) a permit for waste operations](#)



Photo 1 - Slurry Lagoon located at Grosmont Wood Farm with required cover removed



Photo 2 - Slurry Lagoon located at Grosmont Wood Farm with required cover removed

ACTION - Replace cover over slurry lagoon to reduce amount of odour complaints received or vary current permit to remove the requirement of a cover over the slurry lagoon.

WASTE RETURNS

Whites Recycling are currently up to date with all their quarterly waste returns. For 2020

there was a total of 2,284.34 tonnes of waste accepted to site and a total of 1,036 tonnes of waste removed which is within their permitted allowance. There were no waste codes identified that were not permitted to be accepted for this site. Please note, as a reminder, to submit the respective quarterly return data by the deadline date provided below.

Waste Return Submission Deadline

Quarter	Period	Deadline
1	1 January to 31 March	30 April
2	1 April to 30 June	31 July
3	1 July to 30 September	31 October
4	1 October to 31 December	31 January

Waste Return Submissions - [Natural Resources Wales / Submit your waste return](#)

Officers Greg GARDNER and Anthony BRUTEN left site at 11:00am the same day.

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

I look forward to working with the site in 2021.

Thank you.

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.