

Natural Resources Wales permitting decisions

Neal Soils Suppliers Limited

Decision document

(Soil and Aggregate Treatment Plant)

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Variation

Variation number is: **EPR/VP3095FS/V014**

The operator is: **Neal Soils Suppliers Limited**

The Installation is located at: **Soil and Aggregate Treatment Plant, Atlantic Ecopark, Newton Road, Rumney, Cardiff, CF3 2EJ**

We have decided to issue a variation for the Soil and Aggregate Treatment Plant operated by Neal Soils Suppliers Limited.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements, and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document:

- explains how the application has been determined;
- provides a record of the decision-making process;
- shows how all relevant factors have been taken into account; and
- justifies the specific conditions in the permit other than those in our generic permit template.

Key issues of the decision

NRW-led application

Historically the permit has included both surface water and groundwater monitoring requirements under condition 3.1.1 of the permit. The requirements reflect monitoring specified within planning consents for the site (as issued by Cardiff County Council). The monitoring location points consisted of groundwater boreholes within the site boundary, as well as surface water location points within the re-en system which traverses across the site. There are no point source emissions associated with the facility, thus the monitoring is also not associated with any channelled point source emissions. The monitoring related to background sampling.

Discussions between the Operator and NRW regarding the need for on-going monitoring date back to February 2017. More recently in 2019, it was agreed by the local regulating officer at the time, that monitoring requirements as stated within Schedule 3 of the permit could be removed, providing future monitoring across the site was captured within the Operators Environmental Management Systems (EMS). It was also agreed at the time that these changes would be addressed as part of the Waste Treatment BREF review to be undertaken by NRW in 2019/2020.

Given that changes to monitoring conditions fell outside the scope of the Waste Treatment BREF review, the Operator was advised in late 2020 that NRW would not vary these conditions as part of the BREF review work, but would undertake a subsequent NRW-led permit variation once the BREF review work was complete.

Thus this NRW-led variation commenced on 26 June 2021, following the completion of the Waste Treatment BREF Review project.

Consultation

No consultation has been carried out, as this is a minor technical variation.

Technical Specialists within the Groundwater and Contaminated Land Team, as well as NRW's Conservation Technical Specialists were consulted back in December 2018 and January 2019 respectively, regarding the Operator's request to remove groundwater and surface water monitoring requirements from the permit. Correspondence at the time records agreement to the proposed changes. These agreements were recorded within email correspondence and subsequent Compliance Assessment Reports (CARs) issued to the Operator (CAR_NRW_0036985). Anyone wishing to see these documents could arrange for copies to be made. Details of the changes agreed are described in subsequent sections of this report.

The Facility

The regulated facility consists of a combination of installation activities and a waste operation. Their installation and waste activities at the site have a combined annual throughput of 1,003,999 tonnes. This permit does not allow any emission into surface waters or groundwater except for clean water from roofs and parts of the site not used for waste activity including storage of wastes. The site is located within the Gwent Levels, Rumney and Peterstone SSSI, and adjacent to the Severn Estuary which is a designated SSSI and Ramsar site. The land within the permitted boundary is traversed with a series of reens which are in hydraulic continuity with the groundwater below.

The activities are as detailed below:

Washing Plant (Installation Activities)

Hazardous and non-hazardous wastes are accepted for processing in a washing plant which has a throughput capacity of 350,000 tonnes per year. The wash plant is a fixed unit sited on an impermeable surface with a sealed drainage system (to sealed sump). The wash plant is an enclosed system with all water used within the system recycled as part of the wash activity. The only off-site transfers are the oil-based wastes from the DAF unit and residues skimmed from the top of the flocculation tank which are

disposed of at a suitable location. There are thus no point source emissions permitted from this activity.

Soil and Aggregate Processing Facility (Waste Operation)

Non-hazardous wastes are processed through a soil and aggregate processing facility which has a throughput capacity of 649,000 tonnes per year. No hazardous waste is accepted under this activity. Non-hazardous wastes are screened and sorted to remove any contaminants and inert materials. The soil is then “bio treated” by adding compost and manure, prior to being sent off site for recovery via landspreading. The inert materials removed are crushed and screened for recovery purposes.

Waste Transfer Station (Waste Operation)

Hazardous and non-hazardous waste is accepted for waste transfer only at the transfer station. This activity does not permit treatment of waste. The throughput capacity for this activity is limited to 4,999 tonnes per annum.

Proposed changes

Historically, background monitoring has been referenced within Schedule 3 of the permit. These monitoring requirements do not relate to channelled point source emissions from the site, but rather sampling location points intended to monitoring of fugitive emissions.

Groundwater quality and surface water quality in the field ditches and the reen system traversing the permitted site has the potential to be influenced by fugitive emissions from multiple sources. Fugitive emissions from third-party sites and activities located upstream have the potential to influence the local groundwater quality and surface water quality, as does any fugitive emissions from the Soil and Aggregates Treatment Plant Facility, operated by Neal Soils Suppliers Ltd.

Groundwater Monitoring

Technical Specialists within NRW's Groundwater Team agreed with the Operator back in December 2018 that the significance of lateral pathways (between perched groundwater and the on-site drainage) would be surface water run-off dominated. As such NRW's technical specialised agreed that the monitoring locations and trigger levels stated within Schedule 3 of the permit could be removed, however it was advised at the time that the site would still benefit from continued groundwater monitoring to facilitate early identification of any deterioration in groundwater quality during the lifetime of the permit. This agreement was subsequently confirmed in a Compliance Assessment Report (CAR) (Reference Number: CAR_NRW_0036985).

Surface Water Monitoring

Surface water contained within the reens which traverse the site are protected from site operations via a series of containment ditches / buffer zones.

In January 2019 representatives of Cardiff County Council and NRW's Conservation Technical Specialists agreed that surface water monitoring requirements stated within Schedule 3 of the permit were also no longer required, and that continued surface water quality monitoring would be better regulated through Operational Plans contained within the Operator's Environment Management System (EMS), and that these plans should form part of the site's operational control measures. Any breaches of surface water trigger levels set within these Operational Plans would require notification to NRW with subsequent remedial actions proposed.

This variation therefore removes emissions monitoring Tables S3.1 and S3.2 from Schedule 3 of the permit, along with all associated reporting requirements previously detailed within Schedule 4.

In replacement of these tables, and in order to ensure that appropriate groundwater quality and surface water quality surveillance continues under normal operations, an improvement condition has been included within the permit to require the Operator to submit (for NRW's approval) a Fugitive Emissions Management Plan that shall be incorporated within the site's EMS. (IPC3).

A subsequent improvement condition (IPC4) has also been included to require the Operator to produce a site-specific Accident Management Plan. This plan must be produced in line with the standards specified within NRW's How to Comply with your Environmental Permit Guidance. The plan must include (but not be limited to) measures to address all accidents, incidents and non-conformance scenarios associated with fugitive discharges to groundwater and surface water run-off entering reens, including proposed monitoring and remediation measures in the event surface water and groundwater trigger levels are exceeded. The plan must also include a Site Monitoring Layout Plan illustrating all field buffer / engineered containment zones, and monitoring locations.

Improvement Conditions

The two new improvement conditions added to the permit are summarised below.

Reference	Requirement	Date
IPC3	The operator shall submit to Natural Resources Wales for approval a site specific Fugitive Emissions Management Plan. The plan must include (but not be limited to): • Operational procedures detailing how the Operator intends to protect both groundwater and surface water within the field drains and reens which traverse the site, during normal operations; and • Operational procedures for conducting routine surveillance inspections; maintenance and monitoring of all 7 & 10m field buffer zones / engineered containment zones; field drains; and reens.	29 October 2021 or otherwise agreed in writing with Natural Resources Wales
IPC4	The operator shall submit to Natural Resources Wales for approval a site-specific Accident Management Plan. The Accident Management Plan must be produced in line with the standards specified within NRW's How to Comply with your Environmental Permit Guidance. The plan must include (but not be limited to): • Measures to address all accidents, incidents and non-conformance scenarios associated within surface water and/or groundwater run-off entering reens, including proposed monitoring and remediation measures in the event surface water and groundwater trigger levels are exceeded. • Site Plan illustrating all 7 & 10m field buffer zones / engineered containment zones; field drains; and reens.	29 October 2021 or otherwise agreed in writing with Natural Resources Wales

IPC3 and IPC4 have been included to ensure protection to the unique network of surface water reens surrounding the site and the groundwaters below, which are in hydraulic continuity with the reens.

Legislation

The variation will be issued, under Regulation 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope.

We address the legal requirements directly where relevant in the body of this document. NRW is satisfied that this decision is consistent with its general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources. In particular, NRW acknowledges that it is a principle of sustainable management to take action to

prevent significant damage to ecosystems. We consider that, in issuing the variation a high level of protection will be delivered for the environment and human health through the operation of the facility in accordance with the permit conditions. NRW is satisfied that this decision is compatible with its general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.

Monitoring

The monitoring requirements for surface water and groundwater borehole locations have been removed from the permit. Future monitoring is to be captured within Operational Plans which will form part of the Operators Environmental Management System.

Emission limits

There are no channelled point source emissions associated with this permit. The monitoring locations previously referenced within Schedule 3 emissions table have been removed from the permit.

Reporting

Previous reporting requirements linked to surface water and groundwater monitoring have been removed from the permit as a result of this variation.

OPRA

There are no changes to the Opra score for the site, as a result of this variation. The Opra score at permit issue remains 119.