# Compliance Assessment Report

**Report ID: CAR_NRW0031603**

| This form will report compliance with your permit as determined by an NRW officer | | | | | |
|---|---|---|---|---|---|
| Site | Atlantic Ecopark NRW/EPR/VP3095FS/V010 | Permit Ref | VP3095FS | | |
| Operator/Permit holder | Neal Soil Suppliers Ltd | | | | |
| Regime | Installations | | | | |
| Date of assessment | 04/04/2017 | Time in | 10:00 | Out | 13:00 |
| Assessment type | Check Monitoring/Sampling | | | | |
| Parts of the permit assessed | EMS Permit condition 1.1.1 | | | | |
| Lead officer's name | Willey, David | | | | |
| Accompanied by | | | | | |
| Recipient's name/position | John Edwards/ Group Compliance Manager | Date issued | 30/05/2017 | | |

## 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** |
|---|---|---|

**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** | **0** | **Total compliance score** (see section 5 for scoring scheme) | 0 |
|---|---|---|---|

**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

**Neal Soil Suppliers Limited (NSSL) visit on 4th April 2017**

**Permit number EPR/VP3095FS**

The purpose of this visit was to familiarise the operations at the site with the new regulatory officer David Willey (DW). The visit was attended by:

- David Neal (DN) – Managing Director NSSL
- John Edwards (JE) – Group Compliance Manager
- Gavin Powell (GP)– Site Chemist

The following observations and resulting actions have been made following the visit. No breaches were recorded during this visit due to it being a familiarisation visit not a formal inspection.

DN provided a very useful background to the operations at NSSL. DN described the new weighbridge to be put in place as well as the new software that will feed in to the new tracking system for waste / material arriving to site. This will allow better traceability through the process and will be beneficial for the use of *The Definition of waste: Development Industry Code of Practice (DoWCoP).* The new system will also include the existing material.

**ACTION:** NSSL to provide NRW with timescales for the implementation of the new software and provide a working example of the functionality once fully commissioned.

NSSL are awaiting planning consent following the submission of an application for hard surfacing to prevent fugitive emissions to air and to water. The existing interceptors will be filled in and replaced with sealed drainage to a sump that will feed water to the soil wash process where the water is recirculated within the process. This collected water will be stored on site pending use. NSSL are increasing their throughput of their wash plant, this does not require a permit variation as no limits are being varied, but will require changes to the existing infrastructure on site.

**ACTION:** NSSL to provide further detail on the storage of the collected surface water and demonstrate what contingency measures are in place if there is surplus water.

***Photo 1: Material pending treatment***



Inert soil/hardcore is accepted to site and stored in Area 10e, as shown in the drawing number JCD0170-040 referenced WI03, (part of the sites Integrated Management System (IMS)) with hazardous waste stored separately in area 10f. Street sweepings are stored in 10g awaiting processing.

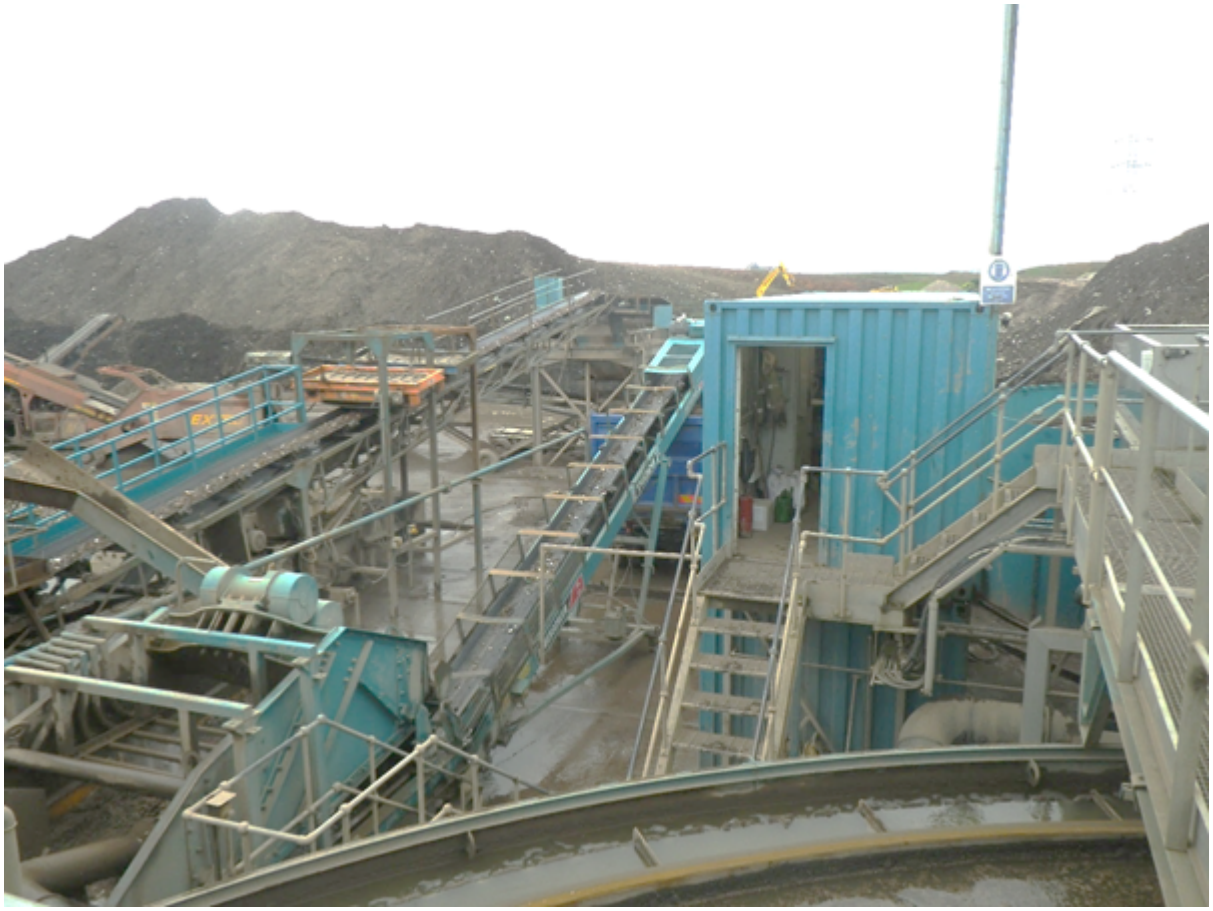
**ACTION**: Please provide an updated site plan with storage locations. The version NRW has the hazardous storage area in a different location.

**ACTION:** Please provide process flow diagrams for the different streams of waste / inert material / soil through receipt, screening, the stages of the washing process (where relevant) and storage. It would be beneficial to have the associated waste codes, as completed in the QMS document Appendix 1, as this would aid tracking the waste in line with *WRAP Quality Protocol Aggregates from inert waste.*

***Photo 2:  Separation / grading process***



***Photo 3: Larger stones and any waste separated and diverted***



**ACTION:** Please could NSSL supply the manufacturers specification for all the soil washing processing equipment including, but not limited to, the filter press, separator, thickener tank, wet sand magnet, PFR Flocculator. This will help NRW understand the terminology used as well as the treatment process in more detail.

***Photo 4: Resulting material from wash process segregated from other stockpiles***



**ACTION:** Please could NSSL clarify point 1.19 of the document WI05 for the washing plant where it states that raw waste water from the soil treatment enters the thickener tank, is this a new inflow of waste water?

**ACTION:** Please could NSSL provide details of the checks in place to ensure the PFR is operating efficiently.

**ACTION:** Please could NSSL provide details of where the removed flock (sludge) from the DAF process is stored pending removal from site and what analysis is undertaken of the flock to demonstrate removal of contaminants from a known batch undergoing treatment?

**ACTION:** Please could NSSL supply NRW monthly the results of the testing undertaken for:

- the process water to demonstrate no build-up of contaminants

- analysis undertaken on the flock removed from the DAF plant
- filter cakes testing
- resulting aggregate and sand from the stockpiles
- sampling undertaken in line with WI11 regarding the batch processed to demonstrate traceability from acceptance to storage.

This information will demonstrate process control and traceability to NRW.

**NSSL IMS**

This CAR Form has been based upon the document, *'Quality Management System for the production of recycled aggregates'*, and the following work instructions:

WI01 – Waste pre-acceptance and acceptance procedures

WI02 – Material recovery

WI03 – Storage layout

WI04 – Soil and aggregate processing

WI05 – Washing plant

WI06 – Material storage

WI07 – Batching and blending

WI08 – Inbound batch information sheet

WI09 – wash plant water testing

WI09-A – Control limits for soil wash water

WI10 – On site sampling and testing procedures

WI11 – Testing schedules

Each of these working instructions will form part of future audits to ensure their appropriateness to the sites day to day activities.

**ACTION:** Documents WI09 and WI09-A relate to the e-mail from Brian Wibberley dated 24 September 2012. There should be enough data gathered over the past 5 years to establish a formal position to be held by NSSL based on evidence setting out appropriate acceptable water limits for the wash water. Please could NSSL updated WI09 with an evidence based position?

Some of the working instructions have different formats, for example some have reference to other relevant documents whilst some do not. Other documents referred to from the work instructions include:

IMS01-01 – Environmental Aspects Register

IMS02 – Legal and Other Requirements Procedure

IMS02-01 – Legislation Register

IMS04 – Training and Competence Procedure

IMS17-01 – Aggregates Quality Management manual

IMS17-02 – Small Projects Strategy

IMS17-04 – Material movement

WS17-01 – WRAP Quality Protocol

**ACTION:** NSSL to supply NRW with an overview of the sites IMS referencing the WI, IMS and QMS documents with access to the documents.

**The Definition of Waste: Development Industry Code of Practice (DoWCoP)**

To enable a more transparent and efficient way of overseeing the DoWCoP NRW are in the process of setting out a methodology that will enable both NSSL to operate as an efficient operator and enable NRW to have confidence in the movement of material through the Soil Treatment Facility.

**ACTION:** NSSL to provide, as a recent example, details of the transfers involved with the Tredegar Project from start to finish. This will enable NRW to respond quicker to declarations and voice concerns at the earliest opportunity.

**The European pollutant Release and Transfer Register (E-PRTR)**

The requirement of E-PRTR is outside the scope of the EPR Permit held by NSSL. The requirements are found in the document *Guidance Document for the implementation of the European PRTR* found at the following link (http://prtr.ec.europa.eu/#/downloadguidance). The document states:

*If a facility carries out both, Annex I and **non-Annex I activities**, it is consistent with the Regulation to exclude the releases and off-site transfers from non-Annex I activities from the reported data. When it is not possible to separate and quantify the contributions of the non- Annex I activities, e.g. where no sampling point for the non-Annex I activity exists (in the case of highly interlaced sewer systems), it might be practical and cost effective to report the releases from non-Annex I activities together with those from Annex I activities.*

On this basis the only parameters to be entered are for that of the hazardous wash plant captured as the Part A(1) Activity. There is no requirement to submit data for the other activities as these can be separated from the main activity.

**End**

| Cyfoeth Naturiol Cymru Natural Resources Wales | **EPR Compliance Assessment Report** | **Report ID: CAR_NRW0031603** |
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| Site | Atlantic Ecopark NRW/EPR/VP3095FS/V010 | Permit Ref | VP3095FS |
| Operator/Permit holder | Neal Soil Suppliers Ltd | Date | 04/04/2017 |

## 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.

## 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 | | | |

## 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.