

Compliance Assessment Report

Report ID:
CAR_NRW0000145

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	02/03/2016	Time in	10:45	Out	12:45	
Assessment type	Site Inspection					
Parts of the permit assessed	Infrastructure and waste storage					
Lead officer's name	Danter-Hill, Gareth					
Accompanied by	Su Fernandez					
Recipient's name/position	John Edwards/ Compliance Director	Date issued	18/04/2016			

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
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	2.1.1
B4 - Infrastructure - Containment of stored materials	A	
C4 - General Management - Storage, handling labelling and Segregation	C2	2.1.1
E2 - Emissions - Land and groundwater	C2	3.1.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	

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	3	Total compliance score (see section 5 for scoring scheme)	66
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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

The inspection was carried out by officers Gareth Danter-Hill and Susanna Fernandez. Officers were unaccompanied for the inspection.

Hazardous waste notes were returned to Neal Soil Suppliers after being seized for audit and compliance purposes.

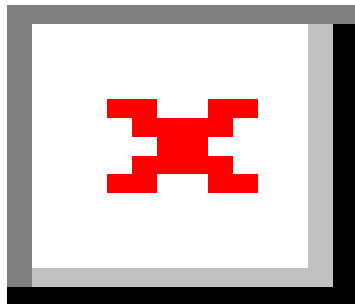
B1-Infrastructure: Engineering for prevention & control of pollution. Category 3 breach against permit condition 2.1.1 (s1.1 A4)

This breach has been scored for the continued use of the transfer station area of the site to accept unpermitted waste within this section of the permit. The permit requires that all storage of all hazardous and non hazardous wastes shall be on an impermeable surface with sealed drainage. This area does not benefit from this infrastructure and so wastes should not be accepted and stored here.

In addition to this, the waste that was seen to be stored on this area of the site was tipped by a white van and it was made up of mixed C&D waste. Under the transfer station section of the permit, these waste types are not permitted and should be tipped at the wash plant or the soil and aggregate processing facility where the waste codes are listed for acceptance.

Chemicals were also being stored within this area of the site on hard standing without secondary containment. This means that if a spill were to occur then the environment has been put at serious risk of pollution.

ACTION: Please ensure that only wastes listed in Table S2.4 are accepted within the transfer station. In addition to this the infrastructure needs to be improved to comply with permit requirements.

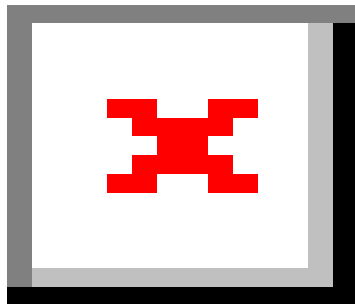
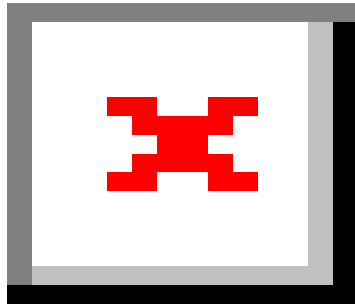


C4-General management: Storage, handling, labelling, segregation. Category 2 breach against permit condition 2.1.1 (s1.1 A1 & A3).

This breach has been scored for the storage of waste such as road sweepings, sewage grits and mixed general waste (including transfer station fines) off the required infrastructure. Under the permit these waste types are not permitted to be stored anywhere but on an impermeable surface with sealed drainage. Unfortunately leachate was seen yet again to be leaving the waste and polluting the ground, this will be breached and detailed separately.

ACTION: Please ensure that these waste types are stored on an impermeable surface with sealed drainage to comply with the

requirements of the permit conditions. The infrastructure requirements are set within the permit to help protect the environment from pollution.



E2-Emissions: Land and groundwater. Category 2 breach against condition 3.1.1.

This breach has been scored for the leachate that has been seen polluting the land at Neal Soil Suppliers. Leachate has not only been seen pooling on the surface of the made ground but also leaving the banking itself after infiltrating past the surface. This is a pollution of the land at Neal Soil Suppliers and should not be happening. If correct storage and infrastructure were in place on site then this pollution would not be happening.

ACTION: Please ensure that all wastes that are causing and that have the potential to cause pollution of the environment are stored correctly as per the permit requirements. In addition to this, these area will need to be remediated as the pollution of the land cannot be allowed to remain, this would increase the risk to surface and ground waters if left in it current polluted state. NRW are happy to highlight the areas of concern if you are not already aware.



Actions from previous CAR forms:

CAR NP3336FD/0251267 required:

1. Improve waste management on site and update the IMS procedures by 01/01/2016, **this has not been completed.**
2. Submit an action plan to reduce waste volumes on site by 01/12/2015, **this has not been completed.**

CAR NP3336FD0255273 required:

1. Improve the infrastructure in this area if waste is to be stored here by 01/03/2016, **this action has not been completed.**
2. Implement waste acceptance procedures by 11/01/2016. **This action has not been completed** as waste has yet again been seen to be stored in a non compliant area of the site.

CAR NP3336FD/0251267 required:

1. Ensure that all activities are being carried out inline with the requirements of the permit. This has to be undertaken immediately. To date, **this has not been completed.**

Actions 2-4 of this CAR form are based on outcomes from a requested report to be submitted by 29/04/2016.

5. All waste that is on site not benefitting from the required infrastructure needs to be either removed from site or placed on permitted infrastructure as per the permit requirements by 01/04/2016. **This has not been completed** and further enforcement action may result.

Other points to note:

The submerged and unknown pipe that was discharging an unknown liquid (towards the west of the soil wash) has been buried with no proof of investigation works being carried out. This pipe remains in place and still polluting the environment as far as NRW are concerned as we have not received any information proving otherwise.

ACTION: Please provide NRW with any investigatory materials that have been created as a result of works surrounding this pipe. Please confirm where the unknown discharge was coming from.

The new concrete surface that has been constructed within the soil wash area has several bits of plastic protruding from the surface. This would not be expected across a complaint surface that has used quality sub base materials, in addition to this, no

CQA for the infrastructure has been submitted by Neal Soil Suppliers. Please ensure that no waste is stored on the surface until the CQA has been carried out.

NRW have noted that improvements to the access of the top up water pump have been made on site.

EPR Compliance Assessment Report

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CAR_NRW0000145**

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Site	Atlantic Ecopark NRW/EPR/VP3095FS/V010	Permit Ref	VP3095FS
Operator/Permit holder	Neal Soil Suppliers Ltd	Date	02/03/2016

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
E2	C2	Remove waste causing the pollution and remediate the land	13/05/2016
C4	C2	Remove waste from site or remove waste to compliant infrastructure	29/04/2016
B1	C3	Install concrete and drainage system or stop using the transfer station area of the site	10/06/2016

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.