

Compliance Assessment Report

Report ID:
CAR_NRW0035428

This form will report compliance with your permit as determined by an NRW officer

Site	Rhuddlan Bach Quarry Landfill Site	Permit Ref	FP3590LV		
Operator/Permit holder	Clive Hurt (Plant Hire) Ltd				
Regime	Waste Operations				
Date of assessment	27/06/2019	Time in	10:40	Out	12:45
Assessment type	Site Inspection				
Parts of the permit assessed	The CAR Subcriteria listed below				
Lead officer's name	Briscoe, Ross				
Accompanied by					
Recipient's name/position	Richard Hurt/ Director	Date issued	24/07/2019		

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

This was a prearranged site inspection carried out on Thursday 27 June 2019 by Natural Resources Wales officers Ross Briscoe (Senior Environment Officer), Kay Roberts (Specialist Advisor - Hydrogeology) and Haf Peskett (Specialist Advisor – Contaminated Land).

The purpose of the visit was to undertake a general compliance inspection, along with allowing officers from Natural Resources Wales' Geoscience team to obtain a better understanding of the site – specifically relating to engineering and hydrology.

Accompanying officers throughout their time onsite was Richard Hurt (Director – Clive Hurt (Plant Hire) Limited) and Jonathan Clark (Caulmert Consulting).

Weather conditions throughout the visit were dry, sunny and mild.

On arrival, discussions first took place within the site officers. This was mainly around the recent construction of the new cell within the landfill and the associated Construction Quality Assurance documentation. Richard Hurt provided an overview of operations in general including the site setting, landform, receipt and acceptance of waste and future proposals for the site. Officers advised on the importance of the Construction Quality Assurance documentation and the wider assessments which are needed. This includes the need for a Hydrogeological Risk Assessment for the site and as explained this should be separate to the Hydrogeological Impact Appraisal which has been produced as part of the recent planning applications for the site.

Following these discussions, officers procced with Richard Hurt and Jonathan Clark out into the permitted area of the site. The site was operational, although no waste operations were currently taking place. Two stockpiles of waste material were located on site which were waiting to be crushed and a further stockpile of crushed aggregate was also located on site – no issues were observed.

Richard Hurt explained that no tipping of waste within the landfill was currently taking place. Richard Hurt also provided officers with a further detailed overview of the waste acceptance procedure for the site which sounded robust, with the site/operator maintaining a high degree of control from point source collection of waste – no third-party tipping of waste takes place at the site.

Officers were able to inspect the clay liner of the new cell. The construction appeared satisfactory and to a good standard. Advice was given to place a thin cover layer over the liner to prevent drying and cracking of the liner before final placement of material. Otherwise there were no further concerns.

The flow of water (Surface and ground) though the site was also discussed with both Richard Hurt and Jonathan Clark providing context. The surface water lagoon was also viewed which collects the surface water from within the lower quarried part of the site. This is then pumped to a permitted discharge point adjacent to the permitted area. Officers were unable to inspect the discharge point due to overgrown vegetation.

Richard Hurt explained how the phased infilling of the landfill will take place in conjunction with the ongoing quarrying activities which are taking place on site. To note, these quarrying activities are not regulated by Natural Resources Wales.

Finally, within the permitted area, officers proceeded past the farmhouse cottage and around to the far side of the site. Officers were able to inspect a stockpile of clay material which had been stripped prior to the quarrying activities and which would and has been used for the clay liner within the new cell. No concerns were noted.

Back within the site office, officers briefly discussed and summarised the observations whilst on site. Guidance on Hydrogeological Risk Assessments and Hydrogeological Impact Appraisals was provided. Officers also discussed the improvement programme requirements (Permit condition 2.4.1, Table S1.3) of the site permit. It was agreed that any outstanding actions should be completed and following the inspection, the regulating officer would review the requirement submissions made to date by checking Natural Resources Wales internal systems and contact Richard Hurt. Richard Hurt advised that some of the requirements had already been achieved and would for ease provide some of the information previously submitted.

No issues were noted relating to noise, dust, odour, pests, litter, mud on the highway or site security.

No on-site documentation was reviewed upon this inspection.

No non-compliances were observed whilst carrying out this inspection. Therefore, the total number of CCS points recorded for this site inspection is 0.

Please keep the regulating officer aware of any changes at the site.

Thank you for your time.

Regards

Ross Briscoe, Senior Environment Officer (Waste Regulation),

ross.briscoe@cyfoethnaturiolcymru.gov.uk

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

EPR Compliance Assessment Report

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Operator/Permit holder	Clive Hurt (Plant Hire) Ltd	Date	27/06/2019

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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.