

## Compliance Assessment Report

Report ID:  
CAR\_NRW0031648

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

|                              |                                             |             |            |     |       |  |
|------------------------------|---------------------------------------------|-------------|------------|-----|-------|--|
| Site                         | Alltami Soil & Aggregate Recycling Facility | Permit Ref  | MB3733RU   |     |       |  |
| Operator/Permit holder       | Brock Plc                                   |             |            |     |       |  |
| Regime                       | Waste Operations                            |             |            |     |       |  |
| Date of assessment           | 09/05/2017                                  | Time in     | 10:00      | Out | 10:25 |  |
| Assessment type              | Site Inspection                             |             |            |     |       |  |
| Parts of the permit assessed | Permitted Area                              |             |            |     |       |  |
| Lead officer's name          | Sowerby, Andrew R.                          |             |            |     |       |  |
| Accompanied by               | Challender, Paul                            |             |            |     |       |  |
| Recipient's name/position    | Dave Youngs/ Environmental Manager          | Date issued | 08/06/2017 |     |       |  |

### 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 |
|-----------------------------------------------------------------------|--------------|-----------------------|
| A1 - Specified by permit                                              | A            |                       |
| B4 - Infrastructure - Containment of stored materials                 | A            |                       |
| C1 - General Management - Staff competency/training                   | A            |                       |
| C2 - General Management - Management system and operating procedures  | A            |                       |
| C3 - General Management - Materials acceptance                        | A            |                       |
| C4 - General Management - Storage, handling labelling and Segregation | A            |                       |
| F1 - Amenity - Odour                                                  | A            |                       |
| F2 - Amenity - Noise                                                  | A            |                       |
| F3 - Amenity - Dust/fibres/particulates and litter                    | 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 |
|-----------------------------|---|-----------------------------------------------------------|---|

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

Accompanied on site inspection by Environment Officer Paul Challender. The site inspection was pre-arranged so that we could meet representatives of Brock Plc and receive an update on what was happening at the site.

Met Dave Youngs, Simon Yates and Dennis on site.

It was explained that they had recently started a six month trial with O'Connors Utilities accepting and sorting inert waste on site. This trial had started at the beginning of April. The waste being accepted at site is being riddled into two different sized aggregates. All production of aggregates on site should comply with the aggregate quality protocol. If it doesn't then anything that leaves site will be regarded as waste and should be accompanied by waste transfer notes and only sent to suitable permitted or exempt sites. During my next visit to site I will be requesting a copy of the sites "Factory Production Control System" which is the management system that details how processes on site ensure that a consistent quality product is produced to the required specifications More information can be found on the WRAP website.

The waste was being accepted and treated within the permitted area which comprises one corner of the quarry.

As waste is now being accepted onto site, the next set of waste returns will not be nil returns.

It was discussed on site that because waste is now being accepted it is now considered to be operational. As a result you are urged to ensure that all conditions within the permit are being complied with and that you are now operating in accordance with a suitable environment management system (EMS). The EMS needs to comply with condition 1.1.1 (a) of the permit "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". The EMS I have is dated December 2011.

Condition 2.3.1 of the permit also states that the site should operate in accordance with the documents specified in schedule 1, table S1.2. These documents are:

- **How to Comply with your Environmental Permit** - a copy of the latest version of this is available on the NRW website. A link can be provided if needed.
- **Alltami Soil and Aggregate Recycling Facility - Technical Standards** - this is a document produced on your behalf by Terraconsult. It is dated January 2013.

It is advised that you review both your EMS and the Technical Standards document to ensure they are up to date. If you decide to update either of them or if you already have more up to date versions you should forward a copy through to me for my file.

If you have any questions regarding any of the above please contact me. I, Andrew Sowerby, will be the regulating officer for this site for the foreseeable future. You can contact me either by phone at 0300 065 3806 or by email at [Andrew.r.sowerby@naturalresourceswales.gov.uk](mailto:Andrew.r.sowerby@naturalresourceswales.gov.uk)

## EPR Compliance Assessment Report

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|                        |                                             |            |            |
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| Operator/Permit holder | Brock Plc                                   | Date       | 09/05/2017 |

### 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.

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](mailto: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.