

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

Site	Unit 1- Crugmore Farm	Permit Ref	AB3097HG	
Operator/Permit holder	M D Recycling Limited			
Regime	Waste Operations			
Date of assessment	07/12/2018	Time in	12:13	Out
Assessment type	Audit			
Parts of the permit assessed	All			
Lead officer's name	Dines, Malcolm			
Accompanied by				
Recipient's name/position	Marc Davies/ Owner	Date issued	21/12/2018	

### 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
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	3.5.1

**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.

<b>Number of breaches recorded</b>	<b>1</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>4</b>
------------------------------------	----------	---	----------

**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

Met with operators Marc and Stephanie Davies

CAR Form NRW0033466 contained a breach of permit relating to Stephanie Davies, the Technically Competent Manager (TCM), not being aware of on-site activities, an integral part of the role of the TCM. The operators have highlighted that Stephanie Davies is only the TCM for the Standard Rules permit (EPR-AB3493CS) and does not provide TCM cover for this permit. The separation of roles of the technically competent managers at the site has not been clearly identified in the Environmental Management System (EMS). Also in the site office, the Competency Award certificates are pinned to the wall to indicate that they are qualified, but again there is nothing to indicate that Stephanie Davies is only the TCM for the, currently non-operational, standard rules permit.

**ACTION:** Please ensure that the roles and responsibilities of the Technical Competent Manager are clearly defined in the EMS for the site.

As this permit and the standard rules permit (EPR-AB3493CS) are adjacent sites the operator does not need a separate EMS for each permit - Please note that this only applies to the permits held by M D Recycling Ltd and not in relation to the landspreading permit held by M D Waste and Recycling Ltd. If the operator is planning to rely on a single EMS for the whole site (both permits), it must clearly set out and detail the different activities on each site, the risk of pollution from these activities and how these risks are to be managed or mitigated.

**ACTION:** Please ensure that the EMS is updated and details what areas of responsibility is covered by each TCM. The EMS will be reviewed in the first quarter of the 2019-20 financial year, so ensure that all the areas of the EMS that NRW have required to be updated in this CAR and CAR ref: NRW0033466 is completed.

The design of the second phase of the compost facility has changed since the approval of the permit. This activity was permitted on the basis of the original design as the limit of the recovery activity is determined by the minimum amount of material required to complete the job. Therefore as the design has changed, a new design plan and cross-section is required along with a volume calculation to demonstrate that the amount of material required to complete the new design is no more than is permitted to be accepted under the waste recovery activity part of the permit. The operator stated that the site would not be able to be surveyed until the current deposits have settled, this would be in about 6-12 months time.

**ACTION:** Timescales for completion of survey and volume assessment to be submitted to NRW before 1st April 2019

A review of the waste returns for the recovery activity since the site started operating shows that 33,629.17 tonnes of waste has been accepted into the recovery activity. The total amount authorised to be used in the recovery activity by the permit is 75,704 tonnes.

The operator has done work to the north of the aggregate processing yard to raise the level so that the fall is towards the drainage system and surface water no longer drains off the site and into a watercourse. However, more work is required to be done to ensure that the aggregate processing area is completed to the levels set out in the planning permission. The current level is too high and some hardstanding material will have to be removed so that the site is level with the Standard Rules permit shed. The operator stated that once the inert stockpile has been fully processed they will be able to accurately mark-out the boundary and level of the aggregate processing area.

**ACTION:** A plan and timescales for completion of the aggregate processing hardstanding to be submitted before 1st April 2019

All waste returns for the site were reviewed. The April to Jun 2018 waste return for the composting operation is not showing as having been received by NRW. Discussion with the operator would suggest that there has been an error in the system as returns have been received for the A16 and A22 activities and they submit all three at the same time.

**ACTION:** Operator to check records and with NRW to ensure that the April to June 2018 waste return for the A22 activity has been submitted and is logged on to the NRW system before 1st February 2019.

CAR Form NRW0033466 required that all compost contaminated by shredded wood waste must be removed from the site, along with the contaminated wood and wood-chip. The waste return for the A25 composting activity show that waste was removed to landfill subsequent to the compliance visit and during this compliance visit the operator confirmed that this record was the contaminated compost and that it had been tested and deemed to be non-hazardous.

**ACTION:** Operator to submit sample results and waste transfer notes for this material before 1st February 2019.

#### Bioaerosol Monitoring:

12/04/18 - the sampling showed that Gram Negative Bacteria was 444cfu which exceeded the recommended level of 300cfu. However, the upwind concentration was 334cfu which means that the concentration of gram negative bacteria being generated by the site was 11cfu, well under the recommended level.

10/10/2018 - the downwind sample returned a high concentration of both mesophilic and gram negative bacteria, both were in excess of the recommended levels. However, there were no down wind receptors given the wind direction at the time of sampling. It was also noted that activity on the waste recovery activity may well have contributed or caused the high levels as the waste recovery activity was downwind of the composting activity, but upwind of the sampling location.

In light of this, it is recommended that photographs are taken showing activities outside the composting activity that may well impact the results of the sampling.

It is a requirement of the permit that Bioaerosol monitoring is carried out four times a year. Since the bioaerosol monitoring risk assessment was approved on 21st November 2016 there have been six lots of bioaerosol monitoring carried out at the site. However, it was agreed that the monitoring conducted on 8th November 2016 would count as the first formal sample. However the numbers are counted, it means that insufficient monitoring is being undertaken. Using calendar years, bioaerosol monitoring was undertaken only three times in 2017 and 2018. If you use 8th November 2016 as a start date, then sampling was only carried out three times in the subsequent 12 months and again the following 12 months. The main concern is that the biggest gap between the samples undertaken are in the summer which when the site is likely to have the highest tonnage of green waste. This is a breach of permit condition 3.5.1 and receives a CCS score of 3. As without monitoring being undertaken during the summer period it is not possible to say that there is no impact of the activity off-site.

**ACTION:** Ensure bioaerosol monitoring is carried out in accordance with the permit and at appropriate times of the years to reflect the highest risk to off-site receptors.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0034382**

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

Site	Unit 1- Crugmore Farm	Permit Ref	AB3097HG
Operator/Permit holder	M D Recycling Limited	Date	07/12/2018

### 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			
G1	C3	Ensure that bioaerosol monitoring is carried out in accordance with the permit and is done so that the results reflect the highest risk of emissions from the site.	31/12/2018

## 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.