

Compliance Assessment Report

Report ID:
CAR_NRW0032561

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

Site	Bank Farm	Permit Ref	JP3697EU			
Operator/Permit holder	D J Huxley (Farms) Limited					
Regime	Waste Operations					
Date of assessment	16/11/2017	Time in	11:30	Out	12:00	
Assessment type	Site Inspection					
Parts of the permit assessed	As below					
Lead officer's name	Thomas, Rhys					
Accompanied by	Challender, Paul					
Recipient's name/position	Robin Huxley/ Site Manager	Date issued	06/12/2017			

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	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	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	
F5 - Amenity - Deposits on road	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	3.6.1

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.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Routine unannounced inspection carried out by Environment Officers Rhys Thomas and Paul Challender. Officers were accompanied on site by Robin Huxley.

Officers proceeded to the composting building where there were three windrows in in different stages of sanitisation and stabilisation. This area of site was tidy and organised. The waste material appeared to be compliant with the site's waste acceptance criteria. No processing activities were taking place in the building at time of inspection and no wastes were accepted or removed from site.

The yard outside the building was clear of any material and no wastes were being stored in this area. No odour was detected from outside the building during the inspection.

No paperwork or documentation were inspected during this visit.

Bioaerosol monitoring requirements were discussed during the visit. Natural Resources Wales have not received any bioaerosol monitoring results from site since 24/09/2015. As set out in previous Compliance Assessment Reports, the permit requires bioaerosol monitoring to be carried out on a quarterly basis. Natural Resources Wales have agreed that this can be reduced to bi-annual, however a full year worth of quarterly monitoring results will need to be submitted and assessed before this can be approved.

Non-compliance with permit condition:

G1 Monitoring of emissions & environment. Permit condition 3.6.1. CCS Score C3.

Permit condition 3.6.1 stipulates that the operator shall unless otherwise agreed in writing by Natural Resources Wales, undertake the monitoring specified in the following tables in schedule 3 to this permit: (b) bioaerosol monitoring specified in table S3.4.

Table S3.4 specifies that bioaerosol monitoring should be undertaken quarterly. Bioaerosol monitoring is currently not being undertaken to the required frequency, and no monitoring results have been submitted to Natural Resources Wales since September 2015. A CCS score of 3 has been applied on this occasion.

This non-compliance was previously highlighted to you on Compliance Assessment Report Form; 'CAR_NRW0020626' issued on 06/06/2016. Please ensure that bioaerosol monitoring is carried out and results are submitted to Natural Resources Wales by the date specified below. Failure to comply with this permit condition could result in further enforcement action being taken.

Action: Carry out bioaerosol monitoring on a quarterly basis as specified in table S3.4 of the permit. A set of bioaerosol monitoring results should be submitted to Natural Resources Wales by 31/01/2018 (in line with the reporting periods set out in permit condition 4.2.3).

Thank you for your time during the inspection. If you would like to discuss anything mentioned in this report please contact Rhys Thomas on 03000 65 3765, rhys.thomas@cyfoethnaturiolcymru.gov.uk.

EPR Compliance Assessment Report

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Operator/Permit holder	D J Huxley (Farms) Limited	Date	16/11/2017

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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	Carry out bioaerosol monitoring on a quarterly basis as specified in table S3.4 of the permit. A set of bioaerosol monitoring results should be submitted to Natural Resources Wales by 31/01/2018 (in line with the reporting periods set out in permit condition 4.2.3).	31/01/2018

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. 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.