Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0035715

This form will report compliance with your permit as determined by an NRW officer					
Site	Longships Road	Permit Ref	UP3396EK		
Operator/Permit holder	Neal Soil Suppliers Ltd				
Regime	Waste Operations				
Date of assessment	17/09/2019	Time in	13:00	Out	13:30
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Bowder, Alex				
Accompanied by					
Recipient's name/position	John Edwards/ Technically Competent Manager	Date issued	24/09/2019		

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	
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	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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

Officer Alex BOWDER attended Neal Soil Suppliers Limited at Longships Road, Cardiff Docks, Cardiff, CF10 4LU on Tuesday 17th September 2019 at 13:00 to carry out a routine inspection of permit **EPR-UP3396EK**. The weather conditions were warm and dry at the time of visit. Business TCM John EDWARDS was present and accompanied the Officer around the permitted area.

GENERAL OBSERVATIONS

The site last inspection of this permit was conducted on 21/02/19. The yard has remained in limited operation since. The permit allows for acceptance of no more than 75,000 tonnes of inert waste per annum.

The site has an IMS Document that outlines the general management of the site, incidents and emergency action plans. It also outlines the Waste Acceptable Criteria for the various waste types including the storage procedures and material testing. It states the stages required to meet the Wrap Quality protocol to produce recycled aggregates.

It is evident that stockpiled waste material has been there for a considerable amount of time, as green vegetation was seen growing on the stored waste - as per Image 1. Please consider the recovery timescales associated with this inert waste type.



Image 1 – showing stockpiled material growing green vegetation on 17/09/19

It was stated that there has been issues with the extension of the lease of the yard. It was mentioned that the material could be used on the land adjacent, owned by ABP Ports.
The business brings plant machinery onto site and treats the material on ad hoc basis. The site has been non-operational for months and no machinery was present on site at time of inspection. No new waste has been brought to site.

There were no issues with the infrastructure noted and all material was contained within the site boundary.

SURRENDERING PERMIT

The business spoke about the intention to surrender the permit in future. You will be required to complete a H5 Site Condition Report detailing that there has been no pollution or contamination of the site during the time of the permit:
https://naturalresources.wales/permits-and-permissions/environmental-permits/horizontal-guidance/?lang=en

You will also need to provide evidence via CAR Forms, photos and incident diary records to demonstrate the current condition of the site and that there has been no pollution. More information can be found on our website; details the requirements and forms required to be submitted:

https://naturalresources.wales/permits-and-permissions/waste/waste-permits/apply-to-surrender-a-waste-permit/?lang=en

WASTE RETURN DOCUMENTS

No material has been accepted or removed in recent months. Please notify NRW if there are any changes in operations.

If you have any issues with this report, please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

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

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Operator/Permit holder	Neal Soil Suppliers Ltd	Date	17/09/2019

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.

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.