

Pair convicted for waste injection scheme

Company director Neal Tremayne used his firm, Carnon Valley Transport, to collect raw sewage, septic tank contents and other controlled wastes from holiday and caravan parks, hotels, a farm, abattoir and a car dealership. He then put that liquid waste into giant storage tankers belonging to Brian Matthews.

Matthews was paid a quarter of the going rate for legitimate disposal and he did this by injecting the mixture into the ground at agricultural locations he rented in Kehelland, Crosslanes, Sparnock and Mithian in West Cornwall. Both men pleaded guilty to various environmental offences.

For negligent culpability and environmental harm, Matthews, of Twelvehead, Truro was ordered to pay £136,674.50 under the Proceeds of Crime Act within 3 months or face imprisonment, fined £8,000 plus £10,000 in costs at Truro Crown Court on 14 April 2022, bringing the long-running case to a close.

Judge Carr called Matthews' operation "woefully lax and inadequate". He said:

It was effectively an open door policy for waste to be deposited. No staff on site, no inspections, no checking of the chits.

It was no surprise that Brian Matthews was able to charge significantly less for disposal and run a profitable business, making £1.3 million between 2013 and 2019.

For his reckless offending, Tremayne of Penryn, Cornwall, was ordered to pay £80,000 under the Proceeds of Crime Act within 3 months or face imprisonment, given a four-month prison sentence suspended for 12 months, alongside fines for him and his firm totalling £3,000 plus £3,450 in costs.

A spokesperson for the Environment Agency said:

When done properly and with care, sludge from sewage plants and septic tanks can provide suitable crop nutrient. However, if abused as a cheap and nasty form of disposal to undercut the competitive marketplace, then it is not just legitimate businesses that suffer but also the environment.

There are regulations in place to prevent toxic chemicals like these from polluting the environment and endangering human health. Ignorance of the rules is not a defence.

Injecting and spreading suitable wastes to agricultural land is a farming

practice used to improve field nutrient levels using manure and slurry. Sludge from sewage plants and residual septic tank sludge can also be used, with care. Raw sewage can carry potentially toxic elements – viruses, bacteria and pathogens like salmonella.

During interview, Tremayne claimed he was keeping costs down for customers of his Carnon Valley Transport Ltd business by paying Matthews £27 to dispose of a 4,500l tanker load of liquid waste – considerably less than the going rate of £60-£100 for proper disposal.

Matthews also admitted during interview that he could only accept septic tank waste, but anything could have been going into tanks at his sites. During the two-year period investigated by the Environment Agency, Matthews accepted around 73 million litres of liquid waste – the equivalent of £432,000 income.

Tremayne admitted failing to give waste transfer notes to customers which detail where waste has come from, its quantity, contents and destination. Matthews did not have the proper measures in place to check that only septic tank waste was going into his tanks, nor did he have the environmental permits needed to screen and test the waste prior to storage for spreading.

Waste transfer notes were produced by Tremayne for one client, an upmarket car retailer. The note claimed car wash effluent was being taken to South West Water for disposal. In reality, it was given to Matthews for injection into the ground.

NOTES TO EDITORS:

Tremayne pleaded guilty to the following charges under the Environmental Permitting (England and Wales) Regulations 2010 at Truro Crown Court on 13 November 2019:

Two counts of operating a regulated facility otherwise under or in accordance with an environmental permit contrary to regulations 38(1)(a) and 12(1)(a) at:

- Allowing the commission of the offence of collection and disposal of liquid waste between 6 April 2010 and 10 December 2016 and 11 December 2016 to 31 March 2018.

One count of failing to comply with a duty of care contrary to section 34(1) and 34(6) by:

- Allowing the commission of the offence of transferring waste and failing to ensure there was a written description of the waste between 6 April 2010 and 31 March 2018.

One count of fraud contrary to section 1 of the Fraud Act 2006 by:

- Dishonestly intending to make a gain for himself or to cause a loss to another by making false representations to Ocean BMW Ltd, namely providing them with waste transfer notes which stated the waste collected was destined for South West Water treatment works.

His company, Carnon Valley Transport, pleaded guilty to the following charges under the Environmental Permitting (England and Wales) Regulations 2010 at Truro Crown Court on 13 November 2019:

Two counts of operating a regulated facility otherwise under or in accordance with an environmental permit contrary to regulations 38(1)(a) and 12(1)(a) by the:

- Collection and disposal of liquid waste between 6 April 2010 and 10 December 2016 and from 11 December 2016 to 31 March 2018.

One count of failing to comply with a duty of care contrary to section 34(1) and 34(6) by:

- Transferring waste and failing to ensure there was a written description of the waste between 6 April 2010 and 31 March 2018.

Matthews pleaded guilty to the following charges under the Environmental Permitting (England and Wales) Regulations 2010 at Truro Crown Court on 21 February 2022:

Seven counts of operating a regulated facility otherwise under or in accordance with an environmental permit contrary to regulations 38(1)(a) and 12(1)(a) at:

- Four Lanes Farm, Kellhelland, between 6 April 2010 to 10 December 2016.
- Cross Lanes Farm, Twelveheads, between 6 April 2010 and 10 December 2016 and from 11 December 2016 to 31 March 2018.
- Sparnock Farm, Sparnock between 6 April 2010 to 10 December 2016 and from 11 December 2016 to 31 March 2018.
- Trewartha Farm, Mithian, St Agnes between 6 April 2010 to 10 December 2016 and from 11 December 2016 to 31 March 2018.

One count of failing to comply with a duty of care contrary to section 34(1) and 34(6).

Four counts of treating, keeping or disposing of controlled waste in a manner likely to cause pollution of the environment or harm to human health under the Environmental Protection Act 1990 will lie on file.