

	EPR Compliance Assessment Report	Report ID: 30175/0229651
This form will report compliance with your permit as determined by an NRW officer		
Site	Tynewydd Farm Landfill	Permit Ref 30175
Operator/ Permit holder	Glen Harry Haulage Ltd	
Date	17/12/2014	Time in 10:45 Out 12:30
What parts of the permit were assessed	Closure, decommissioning and monitoring	
Assessment	Site Inspection	EPR Activity: Installation Waste Op X Water Discharge
Recipient's name/position	Mr Robert Harry	
Officer's name	Laoni Tye, Kelly Sherratt	Date issued 20/01/2015

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	C2	D41; D42; D44; F49;
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	C3	E45;
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	C3	E45;
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	39
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Site officers Laoni Tye and Kelly Sherratt visited Tynewydd Landfill on the 17th of December 2014 to conduct a site inspection. There were some breaches of the permit conditions that are outlined below.

B2 Closure and decommissioning - Category 2 breach.

For sites that are closed, it includes non-compliances related to unsatisfactory decommissioning of equipment or residual contamination, or failure to maintain pollution control measures.

Schedule D Operations. Permit condition D41 states 'Working flanks and faces shall be compacted for form gradients not steeper than 1:3'

The site operator is required to survey the flanks and batters to justify that the gradient is no steeper than 1:3. No evidence of this has been submitted to NRW.

Schedule D Operations. Permit condition D42 states 'Each layer of waste material shall be laid to a fall to encourage water run off from the tipping area'

Whilst on site the site officers saw that there were large pools of water standing on the waste landfill.

Schedule D Operations. Permit condition D44 states 'The final layer of waste deposited shall be subject to the minimum compaction, and shall to a depth of not less than 1m be kept free of materials likely to interfere with the final restoration or subsequent use'.

The final restoration layer appears to be missing and there has been no evidence of capping on site.

Schedule F Site Restoration. Permit condition F49 states 'on cessation of operations the license holder should initiate the surrender procedure by notifying the Waste Regulation Authority (NRW) of the intention to surrender the Wastes Management Licence. The license holder must then comply with the Waste Regulation Authority's (NRW) established post closure monitoring regime.

The permit has not been surrendered and a post closure monitoring regime has not been agreed.

The operator will need to apply to surrender the permit and submit in writing a post closure management plan for approval by NRW no later than the 2nd March 2015.

G1 Monitoring of emissions and the environment. Failure to submit monitoring data. Category 3 breach.

Schedule E. Environmental monitoring. Condition E45 states 'When required by the Waste Regulation Authority (NRW), surface water samples shall be collected from the stream at the site perimeter.'

The last sampling report on our records is dated for 2009/2010 which means we are missing results from the past 4 years. Please submit all sampling analysis results from 2011 onwards to the current date. If reporting has ceased then the site operator will need to submit details of this in writing to be assessed by NRW.

E3 Emissions – Water. Any non-compliance, from a permitted point source or otherwise, relating to an emission to surface water. **Category 3 breach.**

Schedule E. Environmental monitoring. Condition E45 states ' When required by the Waste Regulation Authority (NRW), surface water samples shall be collected from the stream at the site perimeter.'

The last sampling report on our records is dated for 2009/2010 which means we are missing results from the past 4 years. Please submit all sampling analysis results from 2011 onwards to the current date. If reporting has ceased then the site operator will need to submit details of this in writing to be assessed by NRW.

Landowner access

All access to the site must be arranged between the operator/tenant and landowner.

Contact details

If you have any questions please get in touch with the site officer Laoni Tye on 03000 65 4492 or email laoni.tye@naturalresourceswales.gov.uk.

Kind regards

Laoni Tye

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	X
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.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
B2	C2	The operator will need to apply to surrender the permit and submit in writing a post closure management plan for approval by NRW.	2nd March 2015
E3	C3	Please submit all sampling analysis results from 2011 onwards to the current date. If reporting has ceased then the site operator will need to submit details of this in writing to be assessed by NRW.	2nd March 2015
G1	C3	Please submit all sampling analysis results from 2011 onwards to the current date. If reporting has ceased then the site operator will need to submit details of this in writing to be assessed by NRW.	2nd March 2015

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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.