

Compliance Assessment Report

Report ID:
CAR_NRW0023745

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

Site	Nantycaws Landfill EPR/CP3735PB		Permit Ref	CP3735PB	
Operator/Permit holder	C W M Environmental Ltd				
Regime	Installations				
Date of assessment	16/06/2016	Time in	10:00	Out	14:00
Assessment type	Audit				
Parts of the permit assessed	1.1, 1.5, 2.3, 2.8, 3.1,3.2, 3.4,				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Sean Gallagher/ Operations Director	Date issued	29/11/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
E1 - Emissions - Air	C3 - Suspended	3.1.1
E3 - Emissions - Surface water	C3	table s4.5

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	2	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

Cwm Environmental Site Visit – Thursday 16th June

Cwm Environmental operates an Environmental Permit CP3735PB as of 02/08/2005

Persons present; Sean Gallagher Operations Manager, Richard Taylor (NRW).

Agenda

Site Safety Induction.

A full site specific health and safety brief was given on the day which pointed out the need for puncture resistant soles and high ankle footwear, high Vis jackets, helmets, and the wearing of personal gasometers. Awareness of vehicle movements was highlighted, especially at the tipping face.

Update of site status.

Site is currently still tipping into cell 7. Cells 5 and 6 are now fully capped and signed off. The remaining capacity is calculated from the remainder of cell 7 + (8, 9, and 10) at approximately 486,027m³ void capacity. From the difference calculated from the Oct 2014 to Oct 2015 topographical survey, 16,767m³ was filled. At a constant filling rate of 16,000 m³ per year this would see the capacity of the site reached in 30 years. At present, recycling rates have continued to grow meaning that less is landfilled year on year.

Waste acceptance Criteria

This was examined on the day. Site are permitted to take in 20,000 m³ inert waste and 150,000m³ non-hazardous waste per year. The waste has to comply with the European Waste Catalogue (EWC) codes. The system in place sees drivers being weighed in and out. A double visual check takes place at the weighbridge and at the tipping face. Contingency measures are in place to reject tipped loads which contain unpermitted waste types. A copy of the permit is available at the weighbridge, and waste transfer

notes are issued to drivers for every load. Additionally the weighbridge is calibrated annually.

Comment. The system relies heavily on the expert judgement of a few key members of staff, and is likely to be stretched if just a few staff are absent. Site should be prepared for such an event by providing a contingency service for accurate waste acceptance.

Daily Cover.

The system of providing daily cover for the tipped waste appeared to work well. As there is less waste tipped compared to previous years, the tipping face has become smaller, meaning that placing cover takes approximately 30 minutes each day. It was noted that odour and the presence of seagulls were minimal. No odour was detected beyond the boundary of the permitted site.

Site Tour

The site was viewed as a whole with the various sections making up the environmental permit pointed out. The leachate lagoons remain unroofed. The tipping face was minimal, and the groundwater collection reservoir was producing visually clear water with no evidence of pollution or adverse effects witnessed.

Other business

Site asked NRW to review the need permit requirements in terms of the frequency of the sampling regime. **Action** RT will review this in light of the HRA report questions sent on 26/01/2016 and the answers provided by Parsons Brinkerhoff on 14/06/2016.

Round up of Quarterly returns and permit breaches.

A round up of the sites Environmental performance for the year to date reveals the site had a series of minor breaches of permit limits for Mecoprop at UD2 and UD5 detected on 28 Apr 16. The permitted limit for Mecoprop is 0.055µg/l and the reported readings were;

Mecoprop - 28 Apr 2016	Permit Limit	Reading	Action
UD2	0.055 µg/l	0.063 µg/l	1 x Cat

UD5	0.055 µg/l	0.14 µg/l	3
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NRW imposes a single Category 3 breach for both exceedences of permit parameters for Mecoprop, however we believe this to be a blip in the overall performance of the site and are happy that the Management system on the site will minimise the risk of further exceedences.

Site also reported x4 exceedences in CO2 detected on 27 Jan 2016 as below.

Reported CO2 – 27 Jan 2016	Permit Limit	Reading	Action
NACW202	3.5%	4.7% - sampled 3 Dec 15	1 x Cat 3 suspended score
NACW228	3.5%	12.7% -sampled 3 Dec 15	
BH3/5	3.5%	4.8% - sampled 13 Oct 15	
BH3/5	3.5%	5.4% - sampled 3 Dec 15	

These have been dealt with as non- scoring breaches of permit limits, but NRW finds it disappointing that the same monitoring point produced breaches in consecutive months sampling. We also express concern over the 12.7% breach of NACW228 which is 3 times higher than the permitted limit. However due to the secondary pollutant nature of CO2 primarily as a greenhouse gas, we will round all 4 breaches into one Cat 3 breach, but suspend the score. This means that the breaches have been logged, and will show as permit breaches on the public record but the score has not been applied at this time, but future breaches may be scored if they remain persistent and not returned back to within permitted limits ASAP.

The Next Quarterly scheduled inspection is due Mid Sept 16.
END

EPR Compliance Assessment Report

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Operator/Permit holder	C W M Environmental Ltd	Date	16/06/2016

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.

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.

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			
E1	C3	Return to within permitted limits	30/09/2016
E3	C3	return to within permitted limits	30/09/2016

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 reports 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 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.