

	EPR Compliance Assessment Report		Report ID: 5831	
This form will report compliance with your permit as determined by an Natural Resources Wales officer				
Site	Nantycaws Landfill Site (Phase 2)		Permit Ref	CP3735PB (as amended)
Operator/ Permit holder	CWM Environmental Ltd			
Date	23 rd September 2014			
What parts of the permit were assessed	Visit to operational cell/area.			
Assessment	Audit	EPR Activity:	Installation: X	Waste Op: Water Discharge:
Recipient's name/position	Sean Gallagher / Operations & HSE Manager			
Officer's name	Neil Herbert		Date issued	12 th February 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	A	
	2. Closure & decommissioning	N	
	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	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	*	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	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 or assessed in part (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)
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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

Comments

The inspection consisted of a short inspection of the operational area followed by a brief wash-up meeting with Mr Sean Gallagher to highlight the key observations. At the conclusion of the wash-up meeting Mr John Rees introduced himself to the new inspector.

Site Observations

Phase 2 Leachate Lagoon

- The facility has a leachate lagoon that appears to be constructed with a Geomembrane lining system. Leachate levels were low during this visit. Whilst the inspector's access was limited (H&S) of the areas that were inspected no damage was noted. It appears that the facility has no records for onsite checks of the lagoon (e.g. when empty) and no procedure detailing integrity inspection of the leachate lagoon on a periodic basis. The operator has been asked to develop a procedure (this should specify the nature of the inspection, the frequency, damage reporting and record keeping requirements (e.g. photographs)). **Action.**



Phase 2 operational area (uncapped area):

- During the previous inspection we identified a leachate well with high gas emissions. Since then the well has been provided with a temporary seal to reduce gas emissions and a more permanent solution will be implemented shortly. **Action: ongoing.**



- Daily cover has significantly improved at the facility since the last visit with large areas of the operational phase now covered. There remains some areas where the cover is absent or poor, however the operator is in the process of addressing these remaining areas. Action: ongoing.
- During the last inspection we identified a problem with the under cell drainage system in the South West corner of Cell 7 with leachate ponding in this area. The cell is designed so that leachate should be flowing towards the engineered sump (at the South East corner of cell 7) but this is not happening. The operator is currently removing the excess leachate by mobile pump however a more long term solution is being considered by the operator. NOTE: Prior to any mitigation works the operator are reminded of the requirement to agree with NRW a simple method statement for any works to ensure no accidental damage to the basal containment system when excavations undertaken (**Action**).

Odour

- A slight landfill gas odours was detected in the vicinity of the operational area however it was localised during this visit (i.e. I could not detect it outside the operational area).

Gas Perimeter Monitoring points

- I quickly checked the integrity of two gas monitoring points. They were unlabelled but I have attempted to identify them by cross referencing to the annual monitoring plan.
- Well 3/1 (?): - On close inspection the plastic casing sections of the well have become loose and is not gas tight. This will invalidate most results from this monitoring point. The well needs to be refurbished or replaced (if the well needs replacement a CQA plan for a new well will need to be submitted). **Action**



Capping

- During this visit I noted that the Eastern flank of the phase 2 site was being restored. The geomembrane lining was installed some time ago but soil placement (restoration layer) was delayed until now. It should be noted that NRW were unaware that soil placement had commenced. No independent CQA inspector was onsite at the time of my visit even though soil placement work was being undertaken. A protection geotextile had also been placed (prior to the placement of the soil) and again it is unclear whether the placement and welding of this layer was independently supervised. NRW will review this matter in due course and review the CQA plan to determine whether the points above were requirements of the approved plan, we can then discuss these matters during the next scheduled visit.
- However we did note that one of the gas transmissions pipework serving the Western flank had been buried and the operator have been instructed to remediate this immediately (**Action**).

General comments

- No Fuel/Oil containers were found left unattended and this is an improvement since the last visit.
- The unburied healthcare waste found during the last visit had also been removed.

End of section 2.

	EPR Compliance Assessment Report	Report ID:
This form will report non-compliance with your permit as determined by an NRW officer		
Site	Nantycaws Landfill Site	Permit
Operator/ Permit	CWM Environmental Ltd	Date
		CP3735PB (as amended) 23 rd September 2014

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.	NA	
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.	NA	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	NA	

Section 4- Action(s)		
Where a 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
See Section 1 above		
N/A	N/A	<i>Whilst no compliance breaches have been recorded in this report the remaining actions noted in section 2 of this report need to be undertaken to ensure no future non-compliance at the facility.</i>

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 Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). 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.

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

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) 601 0987**.