



EPR Compliance Assessment Report

Report ID: BU0800IZ/0180654

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

Site	LLANDDULAS LANDFILL SITE		Permit Ref	BU0800IZ	
Operator/ Permit holder	3C Waste Limited				
Date	18/04/2013	Time in	13:00	Out	14:00
What parts of the permit were assessed	Schedule 6 Part A & B submissions - Perimeter Gas Monitoring Wells				
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op
Recipient's name/position	Peter Taberner / Unit Manager				
Officer's name	Aled Zachary		Date issued	03/05/2013	

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	C3	1.1.1;
	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	C2	3.1.2;
	2. Land & Groundwater	N	
	3. Surface water	N	
	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	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 (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

Number of breaches recorded

2

Total compliance score
(see section 5 for scoring scheme)

35

If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

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4/6/13

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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 completed within 14 days of an assessment.

Schedule 6 submission relating to breach of methane limits in perimeter monitoring boreholes.

Requirement - Condition 3.1.2 Schedule 4, S4.5 requires Methane concentrations in perimeter boreholes to be less than 0.5% above background. Condition 1.1.1 requires activities at the site to be managed and operated by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.

Findings - Schedule 6, Part A notification (received on the 18/03/13) indicating that perimeter gas monitoring boreholes had breached permitted levels for methane. The following boreholes had breached:

BH11 - 2.4% (+/-0.5%v/v)
BH13 - 2.8% (+/-0.5%v/v)
BH14 - 2.6% (+/-0.5%v/v)
BH16 - 6.1% (+/-0.5%v/v)
BH17 - 11.1% (+/-0.5%v/v)
BH18 - 11.9% (+/-0.5%v/v)
BH20 - 13.0% (+/-0.5%v/v)
BH21 - 1.1% (+/-0.5%v/v)

The schedule 6 Part B notification (received on the 17/04/13) indicated that the likely cause of these exceedances was the isolation of in-waste gas extraction wells adjacent to the monitoring boreholes on the 12th March 2013 by a new member of Infinis staff and a sharp drop in barometric pressure over the weekend of the 17th & 18th of March 2013. Subsequent to the breaches being identified extraction in those wells was increased, and perimeter gas levels were back within compliance limits by the 19th of March 2013.

It is noted that this is the **second occasion** that such an incident has occurred recently, with a breach of perimeter borehole gas levels recorded on the 9th February 2012 due to similar reasons. To ensure the situation does not reoccur gas extraction wells adjacent to these monitoring boreholes will now have specific labels that detail parameters they are to be kept within and will not be isolated again due to the potential for gas migration. Gas contractors (Infinis) will produce a new procedure and new members of staff attending the site to carry out any gas field activities will have a full induction covering this procedure in future.

The above has been scored a **CCS Category 3** score due to Infinis staff managing the gas field lacking the appropriate training / induction on site specific gas management issues. A **CCS Category 2** score has also been given for breaching landfill gas limits in external monitoring boreholes at levels likely to cause a significant environmental impact, especially given the close proximity of residential properties to the boreholes in question.

Actions - Listed overleaf.

 Cyfoeth Naturiol Cymru Natural Resources Wales	EPR Compliance Assessment Report		Report ID: BU0800IZ/0180654	
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Operator/ Permit	3C Waste Limited	Date	18/04/2013	

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.			
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.			X

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			
C1	C3	Please provide further detail on the specific gas extraction wells (numbers / location) that were isolated causing the exceedance in perimeter gas levels. All new Infinis staff attending site in future shall have a full induction on the management of these wells.	31/05/13
E1	C2	Please provide a copy of the new Infinis procedure for the control of gas wells in this area of the site to prevent a re-occurrence of this situation for review.	31/05/13

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.