



**Cyfoeth
Naturiol
Cymru
Natural
Resources
Wales**

Mr. Peter Taberner
3C Waste Ltd,
Suite D, Darwin House
414, The Quadrant
Birchwood Park,
Warrington
WA3 6FW

Ein cyf / Our ref: EAWML 37027
Eich cyf / Your ref: ALM/LLAN/EAL54

Dyddiad/Date: 3rd April 2014

Sent via email to:
Peter.Taberner@fccenvironment.co.uk

Dear Peter,

RE: Report ID: BU0800IZ/0198481 Llanddulas Landfill

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above, which was received on 13th February 2014.

We are once again disappointed to hear that 3C Waste Ltd disagrees with the compliance scores relating to the landfill gas audit carried out on the 19th of December 2013. I would like to point out that the scores issued against 3C Waste Ltd at Llanddulas have been consistent with those issued to other landfill sites locally and with due regard to our operational instruction for recording non-compliance using the compliance classification scheme (CCS).

With regards to the specific points raised in your letter:

Monitoring Equipment and Methods.

The issue regarding the use of a TDL-500 Laser diode methane monitor (Gazomat) rather than a Flame Ionisation Detector (FID) to assess compliance against permit conditions has previously been clarified in correspondence on the 29th of October 2013. Our stance on the issue has not changed in light of your recent comments. The permit has a compliance limit for fugitive emissions of landfill gas; both our monitoring on the day in question as well as that of your contractor using the methodology listed in the permit show you to be in breach of this limit.

When performing on-site landfill gas monitoring all NRW staff pay due regard to the requirements of LFTGN 07, although there is no formal work instruction for use of the Gazomat unit. As previously detailed, the Gazomat is considered a more accurate and precise piece of monitoring equipment in comparison with a FID due to the laser diode being trained specifically for methane. FIDs can suffer interference from other chemical species especially gases that contain other hydrocarbon species, as is the case with landfill gas. This could go some way to explaining the differences in monitoring results obtained on the day, although user influence on the equipment cannot be ruled out in either situation.

www.cyfoethnaturiolcymru.gov.uk

www.naturalresourceswales.gov.uk

Chester Road, Buckley, Flintshire, CH7 6YH

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg
Correspondence welcomed in Welsh and English

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We also find it interesting to note you quote "your representative" who was present on the day of the audit, that being a member of staff from Infinis - your landfill gas contractor. We have previously been informed that Infinis do not represent 3C Waste Ltd on issues relating to compliance with permit conditions. Indeed, the only reason an Infinis staff member accompanied us during the audit was due to a lack of 3C Waste Ltd staff being made available on the day.

We have consulted with the Natural Resources Wales legal team on our regulatory interpretation of Permit condition 3.3.5. Having considered the facts they agree with the interpretation of this condition at present.

Interpretation of Methane Monitoring Results.

To avoid any ambiguity, permit condition 3.3.1 states:

"Fugitive emissions of substances shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable to minimise those emissions."

On the day of the audit not all of the landfill gas collection infrastructure at the site was inspected, with a total of around 17 gas wells and leachate chambers on the operational area(s) being sampled. Of those 17 items of infrastructure inspected to find that 5 were displaying signs of being compromised by perched leachate and/or displaying high fugitive emissions implies a non-compliance rate of around 30%. If we were to apply this figure to the gas collection infrastructure on the operational area (Phase 3A North) as a whole, this could total up to 24 items of gas extraction infrastructure that are not performing as required. Extrapolating this using the "whole site approach" referred to would raise this figure considerably, which even accounting for a level of redundancy within the gas extraction system would equate to a significant number of gas wells.

That said, the issues observed were considered on their merits and not in the context described above. From our perspective the issue here is the perceived lack of appropriate measures to "prevent or minimise" fugitive emissions; all of the issues identified were wholly preventable or repeats of issues identified during previous audits. The two CCS Category 3 scores indicate we consider these issues to represent a "*minor potential for environmental impact*", which reflects the site's sensitive location, but also considers the general improvement in gas control and reduction in these issues observed since the audits in July and February 2013.

In summary, we have received 3 separate challenges from 3C Waste Ltd relating to scores issued on CAR1 forms for Llanddulas Landfill site in the past 12 months alone. We feel the site is being regulated fairly, consistently and in line with other sites in the landfill sector; it is noted that other 3C Waste / FCC operated sites locally do not appear to have the same issues with our regulatory approach or the equipment used to assess permit compliance.

However, should you continue to have concerns regarding our interpretation of the permit conditions or the approach to scoring at the site you may raise these issue via our complaints and commendations procedure (detailed on the rear of the CAR1 Form). Alternatively the issue may also be referred to the Public Services Ombudsman for Wales for consideration.

Yn gywir / Yours faithfully,

A handwritten signature in black ink, appearing to read 'Aled Zachary', with a long horizontal flourish extending to the right.

Aled Zachary
Regulatory Officer 1 (PIR/RSR) – Swyddog Rheoliadol 1 (RhDP/RhSY)
Cyfoeth Naturiol Cymru / Natural Resources Wales

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