

	EPR Compliance Assessment Report	Report ID: BU0800IZ/0255874		
This form will report compliance with your permit as determined by an NRW officer				
Site	Llanddulas Landfill EPR/BU0800IZ		Permit Ref	BU0800IZ
Operator/ Permit holder	3C Waste Limited			
Date	18/01/2016	Time in		Out
What parts of the permit were assessed	Basal Leachate Levels			
Assessment	Check monitoring/sampling	EPR Activity:	Installation	X
			Waste Op	
			Water Discharge	
Recipient's name/position	Peter Taberner/Site Manager			
Officer's name	Anthony Roberts		Date issued	18/01/2016

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	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	C3	2.9.1
	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, O = Ongoing non-compliance – not scored

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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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 normally completed within 14 days of an assessment.

PERMIT BREACH - LEACHATE LEVELS. (Informed by telephone and Schedule 6)

A schedule 6 for breach of permit condition 2.9 (leachate levels) was submitted to NRW by the site manager Mr Peter Taberner. The breaches were at the following leachate wells:

Leachate Collection Point LCP2Ar2 (Phase 2A). Permit limit of 2m. Breaches recorded were, 2.72m and 6.52m

Leachate Collection Point LCP2Br2 (Phase 2B). Permit limit of 2m. Breach recorded was 4.75m

Further readings have been submitted as follows:

LCP2Ar2 – 14/01/16 – 6.16m
 15/01/16 – 5.68m
LCP2Br2 - 14/01/16 - 4.75m
 15/01/16 - 4.55m

CONDITION BREACHED:

Condition 2.9 of the permit; Leachate levels:

sub-condition 2.9.1 states; The limits for the level of leachate listed in schedule 4 table S4.1 shall not be exceeded. (Limit = 2m)

A series of actions have been put in place as a response to this breach, (submitted as part of the Schedule 6 notification) which have been reproduced below:

Scheduled weekly monitoring took place on the 5th January and 13th January 2016.

The breach in leachate compliance level has arisen due to the persistent heavy rain experienced towards the end of November and throughout December (39mm in October, 136mm in November and 178mm in December). Following such a prolonged period of rain, it is likely that the rainwater has now found a preferential pathway through the waste directly into these wells. In addition, with Phase 2C and Phase 3A remaining compliant, it is suspected that leachate from the upper levels of Phase 3A and Phase 2C might also be draining to LCP2Ar2 and LCP2Br2, hence the sudden rise in levels.

A second pneumatic pump was installed to LCP 2Ar2 on Friday 8th January to enable compliance to be achieved as quickly as possible. Additional monitoring is being carried out to check progress. There was a rapid rise in leachate levels since the monitoring on 5th January, but these have been reversed in LCP2Ar2 by installing a 2nd pump. Levels in LCP2Br2 are also starting to reduce.

Subsequent daily monitoring;

LCP2Ar2 – 14/01/16 – 6.16m

15/01/16 – 5.68m

LCP2Br2 - 14/01/16 - 4.75m

15/01/16 - 4.55m

Tankering imports to the treatment plant have been reduced to ensure adequate capacity is maintained in the tanks for leachate coming off site, so that leachate pumping is uninterrupted.

NOTE: This series of actions will be reviewed by NRW on the 6th of February to check for return to compliance levels for leachate levels. In the interim monitoring frequency should be increased and results submitted to NRW on a weekly basis.

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		BU0800IZ 18/01/2016

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.	X
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			
E2	C3	Continue with actions as notified in schedule 6 and increase monitoring frequency. Progress report to be submitted via e-mail on a weekly basis.	N/A

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.