

Compliance Assessment Report

Report ID:
CAR_NRW0031421

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

Site	Pwllfawatkin Landfill Site EPR/BU8819IV	Permit Ref	BU8819IV			
Operator/Permit holder	FCC Waste Services (UK) Limited					
Regime	Installations					
Date of assessment	23/03/2017	Time in	15:30	Out	17:00	
Assessment type	Audit					
Parts of the permit assessed	1.1.1, 2.7.5, 2.8.1					
Lead officer's name	Thomas, Ffion					
Accompanied by						
Recipient's name/position	Richard Thomas/ Site Manager	Date issued	28/03/2017			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. 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
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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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

This Compliance Assessment Report (CAR) form was completed following a routine site inspection at the Pwllfawatkin Landfill site. The inspection undertaken on 23rd March 2017 was pre-arranged in order to undertake an assessment of the recently CQA plan approved gas well drilling. The inspection also looked at general aspects of waste acceptance and site settlement.

Compliance Assessment Report (CAR) ref NRW0031293 was completed following the compliance check of the CQA plan "Retro Drilling of gas wells, Construction Quality Assurance Plan, February 2017" submitted on 24th Feb 2017 for retro drilling of gas wells at Pwllfawatkin landfill.

During the site inspection undertaken on the 23rd March 2017 witnessed the drilling of wells, observed from a safe distance (pictured below) I observed that the drilling rig was continually manned during the drill and CQA inspection was being undertaken. 2 wells out of the 6 agreed were yet to be installed but good progress and fine weather was not delaying the installation works.

I also observed the infilling of an earlier installed well. This work was being double manned so that the "gravel" inlay from the dumper could be managed and levels controlled by observations of the banks man. Also seen on site was a completed well with bentonite seal. Materials storage at the working face was found to be in good condition, for example bentonite stock remaining wrapped and covered from the elements.

The newly installed wells were all found to be capped awaiting their connection with the rest of the gas field.

No landfill gas odours were observed whilst on site. An offsite odour check was undertaken from the rhydyfro back road prior to site attendance and again no malodour was observed.

Whilst on site an inspection of the tipping face was undertaken. Pwllfawatkin keep their active tipping face to a minimal area. Soil cover is in place for large areas of the uncapped cell. Of the exposed wastes seen, no nonconforming waste types were noticed during the time of this inspection. Site manager Richard Thomas confirmed that, dependant on waste inputs, waste acceptance into the new sidewall cell was predicted by beginning of April.

An inspection of the sidewall cell confirmed that the internal bunds to manage rainwater ingress were working extremely efficiently. Richard Thomas confirmed that a standoff bund would be created so that the edge of the cell was clearly marked prior to waste inputs to ensure no risk of over tipping the containment.

A brief walk over of the permanently capped areas was undertaken. It is noted that areas of settlement have occurred, and in some areas the level of settlement appears quite extensive, especially in comparison with the phase 1 closed landfill. The reasoning behind this is believed to be the progressive capping techniques undertaken at the site. Rather than allowing time to pass and for waste to settle in non-operational cells prior to capping, the phased capping (that has ensured very good odour, gas and leachate management) undertaken once a cell has reached final level, has now led to post capping

settlement.

There are 2 areas where a depression is visible to the eye. There was no evidence at the time of inspection to suggest that this settlement was effecting stability. The infrastructure in these areas, whilst showing the level of settlement (see picture of leachate well marked with original ground level) again did not visibly indicate any integrity failures.

I would like to further assess this aspect of the landfill during 2017. I feel a “watching brief” of settlement is the best cause of action now, however trend assessment of topographical surveys showing the level of settlement would be beneficial, and close inspection of stability going forward is advised. I will consult with my geoscience colleague Peter Stanley to ascertain the level of settlement accepted and forward any advice/guidance obtained.

Discussion was also held regarding the sites future. Planning permission for waste acceptance ceases in May 2018. FCC are again reminded that changes to the site in terms of final profile and associated risk assessments that will differ from those that were originally assessed and form part of the permit application will need to be amended if the site were not to be developed as per the original permit application.

It is currently envisaged that a permit variation, incorporating any design and risk assessment changes to those originally applied for, would need to be submitted by FCC. Pre-application advice is available up to 15 hours. Whilst not under the Remit of NRW FCC are reminded that any changes to planning permission would also need to be made.

A community liaison followed the site inspection. No issues were raised in connection with the landfill. The community have agreed to now change the schedule for meetings to 6 monthly.

END.

EPR Compliance Assessment Report

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Operator/Permit holder	FCC Waste Services (UK) Limited	Date	23/03/2017

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.

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			

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 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 fifteen 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.