

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

Site	Ffridd Rasmus Landfill Areas 1 and 3		Permit Ref	GP3330BY	
Operator/ Permit holder	Gwynedd Council				
Date	17/01/2014	Time in	10:00	Out	14:00
What parts of the permit were assessed	Various				
Assessment	Site Inspection	EPR Activity:	Installation: X	Waste Op:	Water Discharge:
Recipient's name/position	Steven Edwards				
Officer's name	Stuart Ross	Date issued	20/01/2014		

**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**

Permit Conditions and Compliance Summary	Condition(s) breached
<b>a) Permitted activities</b>	
1. Specified by permit	N
<b>b) Infrastructure</b>	
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
<b>c) General management</b>	
1. Staff competency/ training	N
2. Management system & operating procedures	A
3. Materials acceptance	N
4. Storage handling, labelling, segregation	N
<b>d) Incident management</b>	
1. Site security	N
2. Accident, emergency & incident planning	N
<b>e) Emissions</b>	
1. Air	N
2. Land & Groundwater	N
3. Surface water	N
4. Sewer	N
5. Waste	N
<b>f) Amenity</b>	
1. Odour	N
2. Noise	N
3. Dust/fibres/particulates	N
4. Pests, birds & scavengers	N
5. Deposits on road	N
<b>g) Monitoring and records, maintenance and reporting</b>	
1. Monitoring of emissions & environment	N
2. Records of activity, site diary, journal & events	N
3. Maintenance records	N
4. Reporting & notification	A
<b>h) Resource efficiency</b>	
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**

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

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

*In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.*

### Comments

#### 1. Leachate Storage Tank Failure

Thank you for your Part A notification received 09/12/13 reporting the failure of your leachate storage tank on 8/12/13.

During the visit the tank was inspected and it was confirmed that the GRP tank had collapsed into the integrated GRP bund. The collapsed tank split the bund wall in at least one location causing a spill of upto 30m<sup>3</sup> of leachate. The tank was emptied early on 06/12/13 and then filled throughout the day until site closure. The tank appeared to be normal at the end of this day and also on the following day (Saturday) at 4pm when staff left site. On Sunday 08/12/13 at approx 10am staff arrived on site to open the civic amenity site and noticed that the tank had collapsed and leachate spilled.

The tank is reported to be approximately 7 years old and upon my inspection the GRP appeared to be in good condition. The tank is not subject to any routine maintenance inspection but is occasionally visually checked on an ad hoc basis.

Possible causes of tank failure were discussed including the possibility that the tank may have recently lifted in the bund causing some damage/weakness leading to tank failure. Tank lifting/floating has previously happened to this tank (since repaired), hence the development of a site procedure for tank unloading (procedure HAR-S-010) which includes the requirement to empty the bund first before emptying the contents of the tank. There is also additional signage at the tank farm high lighting the requirement to empty the tank bund first. The driver who emptied the tank on 06/12/13 is reported to be familiar with the site and he has signed procedure HAR-S-010.

Gwynedd Council have been in contact with the tank manufacturer in an attempt to have them assess the mode of failure - the assessment has not yet been agreed / confirmed.

As discussed the root cause of tank failure needs to be identified and all possible causes should be explored and reported in the Part B notification. This shall include but not limited to the following;

- An assessment of recent leachate collections, including a discussion with the tanker drivers to assess risk of tank lifting in bund / tank damage / unusual occurrences.
- An assessment of the risk of tank damage through tank expansion/ implosion during filling / emptying.
- An assessment of the suitability of the GRP tank for leachate storage.

Additional weekly water quality monitoring (basic leachate screen) has been carried out in the drainage ditch and groundwater monitoring wells down gradient of the leachate tank. Gwynedd council report that to date the data does not indicate any impact from the spilt leachate.

Please forward the addition monitoring data with your next monitoring return.

This incident is likely to constitute a breach of permit. CCS scores (where appropriate) will be applied following receipt of your Part B notification.

## **2. Transfer Station**

During the inspection the waste reception building was being used as a waste transfer station under an enforcement position pending the issue of a standard rules permit. No issues were noted with the transfer operation. Drainage works have not yet started but quotes for the work have been received and are being assessed. Waste is being consigned off site under individual duty of care transfer notes (records not inspected).

## **3. Site Walk / CQA**

A brief walkover of cell 4, 2 and 1 was completed – waste deposit has now ceased. Deep gas wells are required in cell 4b without undue delay. As discussed please submit a CQA plan for the drilling of this cell.

I will forward CQA comments for cell 3/4 capping works as soon as possible - apologies for the delay.



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**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.

**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			

## 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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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](mailto: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.

