

## Compliance Assessment Report

Report ID:  
CAR\_NRW0031272

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

Site	Ffridd Rasmus Landfill Areas 1 & 3	Permit Ref	GP3330BY		
Operator/Permit holder	Gwynedd Council				
Regime	Installations				
Date of assessment	31/12/2016	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Routine Monitoring & Reporting				
Lead officer's name	Ross, Stuart				
Accompanied by					
Recipient's name/position	Steven Edwards/ Operations Manager	Date issued	24/02/2017		

### 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
E1 - Emissions - Air	A	
E2 - Emissions - Land and groundwater	C4	3.1.2
E3 - Emissions - Surface water	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.3.2

**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.

<b>Number of breaches recorded</b>	<b>2</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>0.2</b>
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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 covers a review of routine monitoring data during 2016 and associated reporting requirements.

NB. The permit was varied 01/04/16 to put the site into definitive closure. This led to a change in monitoring frequencies for the majority of determinands pre and post closure.

### 1. Leachate Levels

Leachate heads were monitored in accordance with the permit and recorded <1.5m throughout the monitoring period.

Leachate head data is plotted in Appendix B and it is possible to infer that leachate samples have been collected at the required frequency and are compliant against the compliance limit. However, for ease of reference and to clearly demonstrate compliance, please tabulate the data in future reports e.g. date of monitoring and the result for all dips.

### 2. Leachate Quality

Leachate quality samples were collected and analysed in accordance with the permit (6 monthly and annual suite). Hazardous substance screen for each cell completed October 2016. Mecoprop and hydrocarbons detected in all cells.

### 3. Groundwater Quality

Groundwater quality samples were collected and analysed as required by the permit.

Monitoring wells BH19 A, B & C, BH20 A & B, BH29, BH30 and BH31 are down-gradient of Areas 2 and 3. The following compliance limits were exceeded during the monitoring period. Values in bold type represent breaches of revised compliance limits that were applicable post definitive closure (01/04/16).

- BH19B - chloride (compliance limit 28mg/l) January 144mg/l, February 240mg/l, March 221 mg/l
- BH19C - chloride (compliance limit 30mg/l), January 76.8mg/l, February 88.8mg/l and March 76.6mg/l
- BH20A - ammoniacal nitrogen (compliance limit 5mg/l), January 105mg/l, February 69.4mg/l, March 66.3mg/l. Chloride (compliance limit 310mg/l), January 326mg/l, February 379mg/l and March 378mg/l
- BH21A - ammoniacal nitrogen (compliance limit of 5.1mg/l), January 9.04mg/l, February 8.10mg/l. Chloride (compliance limit 320mg/l) **October 335mg/l.**
- BH31 - chloride (compliance limit 130mg/l), **April 137mg/l**

Contamination down gradient of Area 3 likely to be attributable to leachate migration from Area 2. Compliance limit exceedances prior to the introduction of the definitive closure permit in April 2016 relate to compliance limits derived in 2006 and do not attract a CCS in accordance with NRW's position in this matter (as detailed in previous Compliance Assessment Reports).

The chloride compliance limits were exceeded at wells BH21A and BH31 post closure attract a CCS score of 4. Gwynedd Council should complete a review of trigger levels as required by permit condition 4.2.1(b) including the suspended limits for BH19A, B & C. Please do so by 31/05/17.

### 4. Surface Water Quality

Surface water quality samples were collected and analysed in accordance with the permit.

SW1 – Site drainage from Area 1 via interceptor (visual oil and grease) 6 monthly – no oil and grease detected. The ammoniacal nitrogen detection limit of 0.41mg/l was exceeded in February (0.51mg/l) but is within historical norms and lower than has been observed in recent years. This may reflect the improvement works to contain potentially polluting runoff from the transfer building. Chloride results showed some variability with an elevated peak in February possibly attributable to the use of de-icing salts used in Area 1.

SW2 – Ammoniacal nitrogen and chloride concentrations were lower and showed less variability than observed in previous years. SW3 – Chloride concentrations were relatively stable during the monitoring period. Ammoniacal nitrogen increased but was within historic levels. Amec report that the increase in ammoniacal nitrogen concentrations (e.g. 4.2mg/l 12/01/16, 19.3mg/l 04/10/16) is unlikely to be attributable to landfill leachate as a corresponding chloride rise was not observed.

The report states that possible sources of ammoniacal nitrogen are currently being investigated – please submit your findings to

NRW by 31st March 2017.

#### **5. Perimeter Gas Monitoring**

Monitoring completed as required by the permit.

One compliance limit exceeded at BGH02, 20/04/16 at 2% CO<sub>2</sub> (no methane present).

#### **6. Flare Monitoring (Annual)**

Monitoring completed 24th March 2016 – emission compliant with permit limits.

#### **7. Trace Gas Monitoring**

Monitoring completed 24th March 2016 – no issues noted.

#### **8. Part A & B Notifications**

Part A and B notifications were received for all the compliance limit breaches detailed above with the exception of the exceedance of the CO<sub>2</sub> perimeter compliance limit in BGH02 20/04/16.

A number of notifications were also received late (>24hrs after the detection of an exceedance), including reports received 23/03/16 (received 16/03/16), 05/05/16 (received 28/04/16).

Failure to provide Part A & B notifications as required by the permit is a breach of permit condition 4.3.2. Please ensure notifications are submitted as required by the permit.

Please submit the outstanding Part A & B notification for the CO<sub>2</sub> perimeter compliance limit (BGH02 20/04/16) to NRW by 03/03/17.

#### **9. Additional Annual Reports**

We note your comments and observations arising from your annual review of monitoring data, groundwater (HRA) and other reports as required by permit condition 4.2.1.

We note that that the average gas flow received at the flare in 2016 was 982,666m<sup>3</sup> compared with 1,581,846 m<sup>3</sup> in 2015 which is a reduction of ~ 37%. Whilst it is recognised that the gas volume generated by the waste mass is in decline, this drop appears to be more severe than expected. Please investigate the cause of this reduction and report your findings to NRW by 31/03/17. This should include a review of the most recent gas well dip data.

## EPR Compliance Assessment Report

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Operator/Permit holder	Gwynedd Council	Date	31/12/2016

### 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.

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.

### 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			
G4	C4	Refer details section	03/03/2017
E2	C4	Refer details section.	31/05/2017

## 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.