

Compliance Assessment Report

Report ID:
CAR_NRW0031563

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

Site	Hafod Quarry Landfill	Permit Ref	PP3139GB		
Operator/Permit holder	Cory Environmental (Central) Ltd				
Regime	Installations				
Date of assessment	02/05/2017	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	2.9.1, 3.3.5, 3.1.2, 4.2.1				
Lead officer's name	McClymont, James				
Accompanied by					
Recipient's name/position	Ian Craven/ Site Manager	Date issued	02/05/2017		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	2.9.1, S4.1
E1 - Emissions - Air	C3	3.3.5, S4.5
E3 - Emissions - Surface water	C3	3.1.2, S4.3

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	3	Total compliance score (see section 5 for scoring scheme)	12
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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

Monitoring compliance Q1 (January – March) 2017

CCS 3 – Q1 Leachate exceedances (with reference to HAF 159, 163 & 166)

- Cell 1 (MP1b) 1.94 (compliant), 2.56 and 3.35 m versus 2 m limit
- Cell 2 (MP2a) compliant at 1.87, 1.19 and 1.58 m versus 2 m limit
- Cell 3 (LC3) 4.03, 2.20, 3.76, 5.18, 6.53, 6.60 versus 2 m limit
- Cell 4 (LC4) 3.46, 5.95, 4.31, 3.29, 6.64, 8.36 (MP4a) 2.85, 5.84, 6.65, 6.76 (MP4b) 7.79 / 4.97, 7.92, 6.29, 6.64, 8.66 & 8.73 versus 2 m limit

The volume of leachate removed from site was 1739 m³, 992 m³ and 651 m³. It is understood that several leachate pumps were replaced during this period, which may explain the increase in leachate levels within Cells 3 and 4. Please continue to monitor and investigate any breaches/trends, and ensure that future pump maintenance and operations around leachate chambers does not adversely affect leachate extraction rates.

CCS 3 – Q1 2017 various perimeter gas well exceedances (with reference to HAF 161, 162 & 167). Methane ranging 0 – 40.6 % versus 1 % limit and / or carbon dioxide ranging 0.8 – 30.3 % versus 1.5 % limit (subject to gas audit by NRW 25.05.2017).

CCS 3 – Q1 2017 Emissions to surface water (with reference to HAF 160, 165 & 168). SW1A exceedances - NH₄-N 5.4 versus 1.6 mg/l limit, Cl 130 / 110 versus 101 mg/l limit, Conductivity 1250 / 1290 versus 1090 µS/cm limit, Fe 0.19 versus 0.17 mg/l limit, Mg 34 versus 31.9 mg/l limit, K 22 / 30 versus 15 mg/l limit & Na 95 / 140 versus 94.8 mg/l limit. SW2 Alkalinity 340 / 360 / 410 versus 323 mg/l limit, Conductivity 1270 / 1260 versus 1120 mg/l limit, Fe 0.34 versus 0.17 mg/l, Mg 37 versus 31.9 mg/l limit & K 11 versus 10 mg/l limit.

Certain limits are subject to the hydrogeological risk assessment permit variation and Cory are advised to vary as soon as is practicable (initially expected to be submitted in March 2017). In the meantime non-compliances will continue to be scored relative to existing limits and their frequency.

Environmental Monitoring Review (January – December) 2016

We have reviewed the Environmental Monitoring Review for 2016, which was received on the 31st of March 2017, as agreed. The report summarises the environmental monitoring undertaken during the year, and reaffirms the permit limit exceedances which have been addressed and scored in compliance assessment reports relating to each quarter.

Permit table S4.6 requires landfill gas from capped surfaces monitoring on an annual basis. There appears to be no reference to this monitoring within the monitoring review. Please provide an explanation as to the omission of landfill gas surface emissions monitoring results.

Permit table S4.11 requires deposited dust monitoring at two locations (NW boundary & SE boundary) on a monthly basis between April and September. There appears to be no reference to this monitoring within the monitoring review. Please provide an explanation as to the omission of dust monitoring results.

Based on the information submitted in Table 5.2 Annual production/treatment, it appears that landfill gas combustion in 2016 was 19 % less than in 2015. Please provide an explanation as to the significant reduction in landfill gas combustion between 2015 and 2016.

EPR Compliance Assessment Report

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Operator/Permit holder	Cory Environmental (Central) Ltd	Date	02/05/2017

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.

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			
E1	C3	Optimise in-waste gas extraction	30/06/2017
B1	C3	Continue to monitor and investigate any breaches/trends. Ensure that future pump maintenance and operations around leachate chambers does not adversely affect leachate extraction rates.	30/06/2017
E3	C3	Continue to monitor & investigate breaches	30/06/2017

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.