

Compliance Assessment Report

Report ID:
CAR_NRW0023824

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	23/06/2016		Time in	10:00	Out	14:00
Assessment type	Site Inspection					
Parts of the permit assessed	Site visit (leachate storage tank, gas infrastructure, capping), HRA, Q2 monitoring returns.					
Lead officer's name	Oakes, Ian					
Accompanied by	Roberts, Anthony					
Recipient's name/position	Ian Craven/ Site manager		Date issued	23/11/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	C4	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)	8.1
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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

1. Compliance Q2 (April – June) 2016 – Monitoring data review

a). CCS 3 – Leachate exceedances (references HAF 136, 140 and 142)

Cell 1 (MP 1b) - 5.8, 3.5 and 22.3 m versus 2 m limit. Pumping well in April and May. Pump became blocked towards the end of June and replaced 5 July. Highest level thought to be perched leachate and not representative of general level in the cell.

Cell 2 (MP 2a) – 2.1, 1.5 and 1.5 m versus 2 m limit largely compliant (and Cell 3 compliant).

Leachate removed 3213, 1960 and 1526 m3.

b). CCS 3 – Various perimeter gas well exceedances (references HAF 137, 139 and 141).

Methane ranging 0 – 43 % versus 1 % limit and / or carbon dioxide levels ranging 1.6 – 31 % versus 1.5 % limit (not under positive pressure). 18 new in board wells drilled in Q1 (and additional pin wells) and subject to the NRW annual gas audit.

c). CCS 4 – Emissions to surface water (reference HAF 138).

SW2 Surface water discharge marginal exceedance of alkalinity of 340 versus 323 mg/l limit and potassium 11 versus 10 mg/l limit.

2. Inspection of Secondary Containment to New Leachate Storage Tank

With due consideration of the written submission on the above dated 16 May 2016 (Stratus Environmental reference CE1013/RAC/03) and following inspection of works nearing completion on 23 June 2016 Natural Resources Wales agrees 'that the secondary containment system has been constructed in general accordance with the requirements of the cell containment CQA Plan, and that it is fit for purpose'. Therefore, use of the new concrete leachate tank (variation PP3139GB/V008) can commence.

3. Revised Hydrogeological Risk Assessment (HRA) May 2016 (TerraConsult, 10127 – R01, Issue 3)

For the HRA to be accepted the following actions are required:

a). Further clarification to be submitted to NRW as an addendum to the above report:

(i). Figure 11, 12 and 13 still have a gap marked on the y-axis for 2011. Data may be available, but it is not seen in the graph within the report.

(ii). Cory Environmental Limited need to find the original borehole logs for the site to confirm:

- Sampling horizons, e.g. Top, Middle and Bottom

- Decommissioning of HA07 and HA08 (as no longer used – need to check creating a pathway to aquifers below the site).

(iii). Feasibility of installing dip tubes in the leachate well to get the leachate head without being impacted by potential foaming.

b). Submission of a minor technical variation to cover changes in monitoring, as follows:

(i). Stop sampling for EPH and use TPH and BTEX – undertake annual monitoring for these suites (No limits

- if present or an upwards trend is noted then future compliance limits may be set).

(ii). Relocation of HA12B to new site HA12C (same monitoring parameters, frequency and emission limits). HA12A to remain in current location and HA12B to be decommissioned.

(iii) The removal of SW4 and the changes to the surface water monitoring suite and frequencies as defined in Table 10, 11 and 13.

NB: The proposed increase in leachate head level is not accepted as Cory needs to be able to demonstrate full compliance with the existing 2 m limit in all cells for extended periods (the leachate head was varied from 1 to 2 m following previous HRA).

NB: Cory may want to consider applying for an increase in carbon dioxide trigger levels for the perimeter gas wells as part of the same variation (with suitable justification).

4. Site visit 23 June 2016, main points:

a). HRA response to Cory re - submission (above).

b). Purchase and installation of another 1140 kW CAT engine to use whilst the original is rebuilt following major repairs (crank bearings 7 June). The new engine is to remain as additional capacity.

c). Pump blockages due to 'muds', which appear to become more fluid with increasing pH. Cory to trial one well to see if flow can be achieved and blockages cleared.

d). New wells' performance was discussed and TR / GB technical dialogue to continue to fix gains and hopefully see an improvement in well pumping ability (above).

e). New leachate tank, gas infrastructure and capping was inspected and improvements noted (little odour on site).

f). Date for annual NRW gas audit to be pending completion of new gas infrastructure TR / GB.

EPR Compliance Assessment Report

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Operator/Permit holder	Cory Environmental (Central) Ltd	Date	23/06/2016

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			
B1	C3	Replace pumps as required and consider options to reduce.	30/09/2016
E1	C3	Optimise gas infrastructure	30/09/2016
E3	C4	Continue to monitor	30/09/2016

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 reports 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 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.