



EPR Compliance Assessment Report

Report ID: GP3830BG/0214721

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

Site	Chirk Landfill Site	Permit Ref	GP3830BG
Operator/ Permit holder	FCC Waste Services (UK) Limited		
Date	15/07/2014	Time in	Out
What parts of the permit were assessed	Routine & Annual Monitoring Reports		
Assessment	Report/data review	EPR Activity:	Installation X Waste Op Water Discharge
Recipient's name/position	Colin Shaw		
Officer's name	Stuart Ross	Date issued	31/07/2014

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

a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	A	
	2. Land & Groundwater	C4	3.1.2
	3. Surface water	A	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	A	
h) Resource efficiency	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

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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

This Compliance Assessment Report follows a review of routine monitoring data for the period 1st January 2014 - 31st March 2014 along with a review of the 2013 annual reports.

1.0 Routine Monitoring Data

1.1 Leachate Heads

100% compliant throughout the period.

1.2 Groundwater Quality Monitoring

There were no breaches of trigger limits during January and February, however, five breaches of the Ammoniacal Nitrogen limit were reported for March. These were as follows;

Borehole T5 – 0.8mg/l (limit 0.5mg/l), borehole BH04 – 3.1mg/l (limit 3.0mg/l),
Borehole BH09 – 0.7mg/l (limit 0.5mg/l), borehole BH10 – 1.7mg/l (limit 1.1mg/l) and
Borehole BH11 – 0.9mg/l (limit 0.39mg/l).

FCC report that upon reviewing the laboratory data for the March results, it was apparent that the majority of the NH4N results (across all areas of the site) were elevated compared to previous months, including surface water at all points (including river Dee upstream) which is very unusual.

FCC conclude that it appears likely that there has been either a field sampling error or a laboratory error with the NH4N testing. At the time of reporting FCC were awaiting results of the retesting of the samples which have breached their trigger limits for NH4N. There were no breaches of any other determinands tested or increasing trends in any of the wells.

I am inclined to agree with FCCs conclusion and will not apply a non-compliance score at this stage. Please provide NRW with the sample retest results within 2 weeks of receiving this report.

1.3 Perimeter Gas Monitoring

Monitoring in accordance with the permit. During the period there were a number of marginal CO2 trigger limit breaches as detailed below.

There were no methane trigger breaches during this period.

The dates and details of CO2 breaches in perimeter boreholes are;

- 22nd January – G1, G3 and G4 plus T8, T10 and T13 peak level of 8.9% (v/v) in T13.
- 13th February – G1 and G4 plus T8, T9, T10, T12 and T13 with a peak level of 10.7% (v/v) in borehole T10.
- 7th March – G1 plus T8, T10, T12 and T13 – peak reading of 6.0% (v/v) in borehole T12.

Part A and B notifications received as required. Trigger limit exceedances are in breach of permit condition 3.1.2. The trigger breaches are marginal and have been consolidated with a single CCS score of 4 awarded.

FCC have submitted a permit variation to remove CO2 trigger limits in accordance with the agreed Industry Code of Practice.

1.4 Surface Water Quality Monitoring

No discharges from the surface water lagoons / grass pots reported during this period.

Samples collected from the River Dee upstream and downstream of the landfill are indicative of a high quality watercourse. This is with the exception of the likely anomalous ammoniacal nitrogen result recorded in March (including river Dee upstream of landfill). Please provide NRW with sample retest results within 2 weeks of receipt of this report.

2.0 Annual Reporting

Thank you for providing your annual report / review as required by permit condition 4.2.1(a). Reports for sections b - j of this condition have also been provided as required.

I have reviewed the reports and have not noted any significant issues. As noted, the HRA is due a full review in 2015.

Flux box survey findings have been taken into account as part of NRW's ongoing LFG audit and inspection plan for the site.

Emissions from Gas Engines and Flare fully compliant with the permit.

Trace gas analysis results received.

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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			
E2	C4	No action specified	N/A

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 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 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. 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.

