

Compliance Assessment Report

Report ID:
CAR_NRW0031489

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

Site	Chirk Landfill Site EPR/GP3830BG	Permit Ref	GP3830BG		
Operator/Permit holder	FCC Waste Services (UK) Limited				
Regime	Installations				
Date of assessment	28/03/2017	Time in	09:00	Out	12:20
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Ross, Stuart				
Accompanied by	Roberts, Anthony,McClymont, James				
Recipient's name/position	Colin Shaw/ Site Manager	Date issued	11/04/2017		

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
E1 - Emissions - Air	A	
F1 - Amenity - Odour	A	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Since the last site inspection 17/10/16 the site has ceased to accept waste and permanent capping works are now complete and subject to CQA validation (refer comments below). During this inspection a walkover of capped areas was completed with the gazomat to assess fugitive emissions and to inspect the capped areas and landfill gas infrastructure.

Findings

No issues were identified with the nature and stability of capping soils but in some areas soils between adjoining capping sections may require re-grading to ensure a smooth slope profile / effective surface runoff.

No fugitive landfill gas emissions / odour were detected on site, gas collection pipework falls were generally good with a few localised examples where the gradient was shallow but was not likely to impede gas collection.

A leak (air ingress) was detected on the LFG collection ring main next to the oil/fuel store. Air was being drawn in through a defective patch which was then temporarily repaired by the Infinis gas technician during the inspection. The use of a patch as a permanent repair is not best practice.

ACTION - The patched section should be properly repaired (e.g. replace the section of defective pipe and appropriately re join). Additionally, please identify any other patched areas and ensure repairs are made to ensure the pipework is maintained to a adequate standard.

Adjacent to the oil/fuel store it was noted that the ring main drops several meters in height (unsupported) from the ridge above. It is recommended that the pipe is provided with adequate support.

The gas quality at the compound was recorded as; CH₄ 39.6%, O₂ 1.5%, pressure -90 mbar, flow 1209 m³/hr.

Since the last LFG inspection 07/09/16 gas flow has increased but gas quality has deteriorated, overall when gas quality is normalised there has been an uplift which may reflect the installation of new deep gas wells Autumn 2016. However, the deterioration in gas quality is of concern to NRW.

NRW will review the next set of balancing data (Jan - March) as routinely reported (due 28th April 2017).

In support of this review please provide NRW with the weekly gas quality and flow data (at the compound) for the period 01/10/16 - 09/03/17 and the findings of the most recent gas well dipping survey. Please do so by 28/04/17.

In the interim and as requested during the inspection please provide a brief summary of the gas technicians observations following field balancing on the date of this inspection please do so by 21/04/17.

Construction Quality Assurance Validation Report (2016 Permanent Capping)

Following receipt of the above report our Geoscience team have made a number of observations and further explanation / justification is required before the report can be accepted, please respond accordingly.

- Geomembrane conformance testing (Appendix 4) does not appear to have tested or recorded the asperity height.
- Geotextile mass per unit area : conformance sample 4 exceeds the specification by 17g/m². Please provide justification of this non conformance.
- The geotextile conformance parameters used within Appendix 4 are not consistent with those detailed within table 2

of the CQA Plan.

- Roll no 420063223 shown within Appendix 7 (geomembrane panel deployment) isn't recorded within the material delivery records.
- Please specify the pass / fail criteria for the destructive seam testing and clarify whether the number of samples taken (48) meet the required frequency for compliance.
- Geocomposite conformance testing appears to be missing a number of conformance tests as detailed within table 6 of CQA plan for example tensile extension.
- Section 7.7.6 of the report informs that the drainage ditch along the southern perimeter of the site near the access ramp is to be constructed at later date. Please confirm when this is proposed to be completed and detail any temporary measures that will be in place in the mean time.
- It is difficult to compare as built surveys (regulatory and restoration layers) as the survey points are in differing locations. Please explain why this has occurred or if other measures were used; as it is unclear whether the 1m of restoration soil has been achieved across the entire cap.
- Photographs 40 and 45 show examples of extrusion weld failures. These do not appear to have been recorded in the welding records or site records. Section 9.1 of the validation report suggests there have been no non-conformances.
- Site records dated Thursday 29-9-16 refers to an incident of diesel contamination on site. Please provide further detail of this incident and comment upon the impact of the spillage.

Additionally we require confirmation that the depth of soils placed on capped areas do not exceed the thicknesses as agreed by NRW 14/05/13 - refer FCC isopachyte drawing ref. 466D_2011_NW_32_02.

Construction Quality Assurance Validation Report (2016 Gas well installation)

Please submit the above report to NRW by 28/04/17.

Site Closure

As the landfill has now ceased to accept waste and capping works are complete (pending CQA validation sign off) the permit now requires a normal variation to allow the site to enter definitive closure with the associated reduction in subsistence fees and monitoring requirements (to be agreed).

As discussed during the inspection I strongly recommend that FCC now submits a closure report and variation application to NRW.

Please refer to guidance note EPR 5.02 as provided during the inspection for more information.

EPR Compliance Assessment Report

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Operator/Permit holder	FCC Waste Services (UK) Limited	Date	28/03/2017

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.

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			

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.