

Compliance Assessment Report

Report ID:
CAR_NRW0033072

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	16/02/2018	Time in	09:30	Out	12:30
Assessment type	Site Inspection				
Parts of the permit assessed	Surface Water Management				
Lead officer's name	Ross, Stuart				
Accompanied by					
Recipient's name/position	Colin Shaw/ Site Manager	Date issued	21/03/2018		

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	X	
B3 - Infrastructure - Site drainage engineering (clean and foul)	X	
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

This Compliance Assessment Report follows a site inspection 16/02/18 and a review of the Surface Water Management CQA Validation Report as received 07/02/18.

It is noted that several aspects of the work as detailed in the 'Surface Water Specification' version 2.0 June 2017 were not completed or deviated from the plan. No justification has been provided within the report.

1.1 Lagoons

- The absence of new connecting culverts between lagoons 1, 2 and 3. Section 3.1.3 of the validation report states that the existing culverts were left in place but offers no explanation as to why.

- None or the proposed works on the connecting pipework between lagoon 3, the grass plots and river was completed. This is despite comments in the specification report that the control valve from lagoon 3 to the grass plots is 'not fully working'. This valve forms a critical part of the sites pollution control infrastructure.

- Based on a visual inspection I have some doubt regarding the capacity of the newly installed drainage basin (designed to hold 800m3 of surface water). Please can you verify that the lagoon capacity meets the original specification.

- No outlet valve from lagoon 3 to the river discharge was installed as proposed.

- Whilst not strictly within NRW's remit there was no evidence that a life buoy or deep water/no swimming signage has been installed which is an important H&S aspect.

1.2 Grass Plots

- There was no evidence of any work having been completed on the grass plots during the inspection.

- There is no information to confirm that the height of the grass plot bunds were recorded at >52.35m or 0.5m in height.

- The proposed filtration bed connection channels have not been installed nor the new connection from the final grass plot to the river discharge– no explanation is included in the report.

1.3 Culverts

- Culvert 1 was constructed from 1.0m HDPE twin wall – original specification 0.5m box culvert.

- Culverts 3, 4 & 5 constructed from 1.0 HDPE twin wall – not to original specification e.g. culvert 3 specified as triple 525mm pipe culvert.

- There was no evidence of hydro seeding having taken place and some ditches were eroded. Significant areas of erosion should be made good and all relevant areas if disturbed soil hydro seeded at the earliest opportunity.

ACTION – Please address the comments on the CQA validation report as detailed in the section above by 27/04/18.

2.0 Other Observations – Inspection

- There was some confusion as to the drainage arrangements from the lagoons, particularly as to how the grass plots drain to the River Dee. It was also found that the discharge line to the Dee had a bung inserted to prevent any discharge. This is an authorised discharge point and it is unclear why the pipe has been blocked,

It was also observed that the control valves to the individual grass plots have been removed and it was agreed that it would be beneficial to reinstate these to allow control of discharges to the individual plots.

ACTION – Please review and clarify the pipework arrangements linking the grass plots and lagoons to the river Dee discharge. Ensure appropriate controls are in place in the event of an onsite incident (e.g. leachate outbreak to surface water) to protect the river Dee. Provide your findings to NRW by 27/04/18.

ACTION – Critical lagoon control valves require signage and ongoing maintenance to ensure they are operational, do not become overgrown and that access is maintained. Keys to operate control valves shall be made available to appropriate staff, this shall include the onsite storage of valve keys. Valves should be labelled and the sites emergency spill response plan reviewed and

updated as necessary to ensure that staff are clear as to how to respond in the event of an incident. Staff shall be suitably trained. Please complete this action and provide NRW with a summary of the corrective action you have taken by 27/04/18.

EPR Compliance Assessment Report

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Operator/Permit holder	FCC Waste Services (UK) Limited	Date	16/02/2018

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			
B1	X	Refer details section	27/04/2018
B3	X	Refer detail section	27/04/2018

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.