

Compliance Assessment Report

Report ID:
CAR_NRW0033665

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

Site	Bryn Pica Landfill EPR/DP3732SQ	Permit Ref	DP3732SQ		
Operator/Permit holder	Cynon Valley Waste Disposal Company Ltd				
Regime	Installations				
Date of assessment	21/06/2018	Time in	10:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Sample storage, tipping face, daily cover, cell 4 CQA, site access.				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Lee Foulkes/ Technical Manager	Date issued	23/07/2018		

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
C2 - General Management - Management system and operating procedures	C4	1.1.1(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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

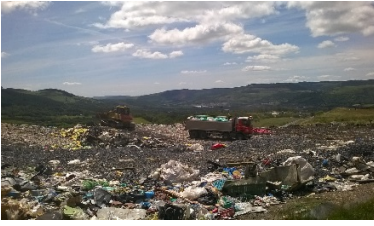
Section 2 – Compliance Assessment Report Detail

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

Item	Discussion	Action
Amgen currently hold two permits with NRW. AP3199FE for the Materials recycling facility, and DP3732SQ for the landfill.	Both sites were inspected on the 21 st June by Richard Taylor from the regulating body Natural Resources Wales.	All improvements and actions will be audited by NRW on the next site inspection or earlier as declared.
1. Issues from previous CAR forms (Landfill) The last site visit on 29th Nov 2017 had an improvement suggestion to place DSEAR signage on relevant equipment to ensure adherence with the legislation.		At the site inspection on 21 st June 2018 this was seen to have been carried out fulfilling this improvement suggestion. Yellow warning labels were seen to have been placed on gas wells as seen in the photo opposite. Item completed.
2. Leachate / Surface water and Groundwater sample storage. The samples are collected within 24 hours of taking, but are stored in a non-refrigerated container prior to collection. This contravenes both the Environment Agency/NRW guidance M18, and the 'guidance for monitoring landfill leachate, groundwater and surface water' at section 9.11.3 where the samples ideally should be kept at	Action; NRW imposes a Cat 4 breach for not adhering to the site current management system documented in the ESID 19 at 4.1.6. This is a breach of management conditions without an environmental impact. Note – the addition of this breach was not suggested on the day of the audit but has come to light afterwards when it was noticed that the refrigeration of samples was declared by the permit application supporting management system ESID 19 as being part of the proposed management system.	1. Improvement action – re-establish refrigeration of samples by installing a dedicate fridge as soon as practicably possible. 2. Establish checks on the temperature inside the fridge to maintain the optimum 2-4 deg C. 3. Audit your collection courier to ensure samples are delivered to the lab within the timescale and in a temperature range of 5 deg C +/- 3 in accordance

between 2 and 4 deg C so as to preserve the sample in its representative form prior to lab analysis. The current sample preservation system also contravenes the sites own ESID 19 at 4.1.6.		with M18 guidance at section 5.5. 4. Train and familiarise site staff on sample handling procedures and the deterioration rates of specific substances detailed in M18 section 5.5. Improvements will be audited on the next site visit.
3. Tipping Face. The size of the open tipping face was seen to be large. RT queried why this had to be so large and not minimised. Current tipping face. 	Minimisation of the tipping face should reduce the presence of gulls, potential odour, flies, surface water ingress, and scavengers (human and animal). It should also reduce the manhours spent on replacing the daily cover as well as reduce the amount required. The visual impact of the site can be seen clearly from housing settlements in Aberdare. Minimisation of the tipping face would decrease the visual impact of the landfill site for the local community and thus have the potential to improve the site setting and relationship with neighbours.	Site are requested to review why the tipping face is kept relatively large. Can the tipping face be reduced/minimised? Action – Site to review current practices and report findings to NRW.
4. Daily Cover The material in use on the site consisted mainly of shredded black/grey plastic fractions of an unknown specification or description. The material appeared to be mainly plastic material which seemed to be light weight and	No knowledge of this material was given on the day. No material specification or analysis was thought to exist. Landfill guidance on using landfill cover material is available on the Gov.UK website https://www.gov.uk/government/publications/guidance-on-using-landfill-cover-materials-lfe6 The guidance requires the site to evaluate the choice of daily cover as a risk assessment based on the principle of source – pathway – receptor.	1. Action - Daily cover material – site to provide a description of the type and composition the material currently used for daily cover. 2. Action - Site to carry out a risk assessment of the daily cover used against the guidance

friable without the required density to be effective for the purpose of providing daily cover against high winds, fire and odours. 	This requires an evaluation against several factors from the landfill face, such as; Windblown litter, odour, birds, scavengers, flies, fire, and visual appearance. The risk assessment should form part of the site management system and demonstrate that all risks associated with the cover are minimal.	quoted. 3. Site to determine the most appropriate daily cover to use on the tipping face as a result of the risk assessment.
5. Cell 4 CQA submission. Site sent their cell 5 report to NRW on May 31st 2018. Site inspector RT carried out an initial assessment of the report and passed this onto NRW experts in the NRW Geosciences team for approval. Note – this work is scheduled to take approximately 4 weeks and will have an associated site inspection to view the new cell. Site also need to be aware of the permit conditions relating to construction of new cells at 2.7 of permit DP3732SQ especially timing the works in relation with approval from NRW. Cell 5 groundworks seen on the site visit.	Permit conditions relating to the Cell 5 CQA report are found at Table S1.4b reference 1. The design of all future cells to be constructed at the site shall include the following design details and only varied based on justification agreed in writing with the Environment Agency: a)• A leachate drainage blanket of 500mm thickness. b)• If tyres are to be utilised as the drainage blanket a revised stability risk assessment should be undertaken in accordance with Environment Agency 'R&D Technical Report P1-385/TR1 and TR2 on Stability of Landfill Lining Systems'. c)• A minimum of one target pad to be installed per cell. d)• At least two level monitoring points in addition to a collection sump should be provided for each hydraulically	The CQA report was evaluated against the permit conditions opposite. a). The leachate drainage blanket is itemised in the CQA plan at chapter 13, but no specification of the material thickness is found. Instead, at chapter 4.6 there is reference to an artificially established geological barrier (AEGB) with a thickness of 500mm. Action - Site to confirm that the AEGB is the same as the leachate drainage blanket and provide. b). N/A c). The target pad is mentioned at 6.9.2 but is not detailed in any drawing. Action Site to confirm there is a target

	separated cell of less than 5 hectares in size. For larger cells the number of monitoring points shall be agreed in writing with the Agency. e)• The design and specification of leachate carrier pipework. Unless otherwise agreed in writing with the Agency all collection pipework must be accessible by Closed Circuit Television and able to be cleaned by jetting or other appropriate means. The use of upslope risers rather than vertical extraction wells should be considered where appropriate. The operator shall implement any improvements or measures as agreed in writing with NRW.	pad planned for this work and to update the drawings accordingly. 6.9.2 should be referenced to a drawing showing its intended location. d). 2 x leachate monitoring cells are to be installed within cell 5 as detailed in the site construction specification at 4.14 and pictured in drawing number 1608r2/5. e). One leachate riser is set to be installed mentioned at 6.10.1.
6. Life belt on leachate ponds inaccessible by foliage. 	The life belt was completely obscured by foliage. (pic below). Site staff were tasked to cut back the foliage so access could be made. 	 Site reported the work was carried out immediately and sent pictures to prove the action was carried out. Site are encouraged to carry out a scheduled maintenance programme to ensure access to safety equipment is always available.

7. Bagged waste on landfill approach roads.

Site were questioned why bagged waste was left in this location.



The answer was given that the bags are a result of a collection activity which recently took place. This was seen as a welcome site action and commended. The bags were due to be collected later in the day. No further action.

8(i) Miscellaneous issues - base of cell 5.

Site are reminded to ensure permissions from NRW are in place for the construction of cell 5.



8(ii) The meeting point of Cell



8 (iii) Leachate sampling point opposite.



End.

EPR Compliance Assessment Report

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Operator/Permit holder	Cynon Valley Waste Disposal Company Ltd	Date	21/06/2018

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.

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			
C2	C4	Restore adherence to written procedures	23/07/2018

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.