

Compliance Assessment Report

Report ID:
CAR_NRW0033444

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

Site	Silent Valley Landfill Site	Permit Ref	MP3835SV			
Operator/Permit holder	Silent Valley Waste Services Ltd					
Regime	Installations					
Date of assessment	30/08/2018	Time in	10:30	Out	13:30	
Assessment type	Report/Data Review					
Parts of the permit assessed	See below					
Lead officer's name	Ward, Tyrone					
Accompanied by	Burton, Luke					
Recipient's name/position	Noel Chard/ Operations Manager	Date issued	13/09/2018			

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C4	1.1.1
D1 - Incident Management - Site security	C4	2.3.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	3.5.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	O	3.1.5

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)	4.2
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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

Monitoring reports

Q1 and Q2 reports received and reviewed.

Leachate monitoring – permit condition 2.7

No breaches in the average value across the monitoring points (3m compliance limit)

However, report sections 4.2.1, 4.2.2 and 5.1 recommendations noted and agreed with respect to the general increasing level in LC5A. SVWS have provided details for further investigation and additional testing. This includes well pumping or a replacement well; drilled as part of in-waste contract.

Also noted the increasing trend of ammoniacal nitrogen leachate quality above the AMC in LC5A. SVWS have provided contingency plan investigation details/proposals in line with above. Further details with timetable to follow. **Please provide update as soon as possible.**

Groundwater monitoring - permit condition 3.1.5

Report section 4.4.1.1 - options for replacement of GW11A near the waste transfer station discussed and agreed at our meeting on 24th Jan.

Groundwater monitoring borehole GW9 records continued non-compliance for ammoniacal nitrogen.

As part of the permit variation, groundwater pumping from this location with a review of results and an associated report has submitted to NRW (IC1). The first part of the condition has been accepted by NRW. Refer to section below for update.

Score CCS3 suspended in GW9 pending appraisal of outcome and recommendations.

Groundwater monitoring boreholes GW10 and GW 12 - historical levels of Zn and Mn previously noted including up gradient boreholes, to consider these determinants as part of next HRA Review which is now due. Concentrations of Zn and Mn in leachate also noted. **Action SVWS to provide draft HRAR as soon as practicable.** (Refer to NRW email 30th Apr18)

Surface water monitoring - permit condition 3.5

No non-compliances; also noted that no elevated levels of ammoniacal nitrogen were reported in the SSSI breakouts.

The Q2 report (section 3.3.2) includes a revised assessment method for surface water, as developed by WFD UKTAG. This is known as the 'Metal Bioavailability Assessment Tool' (M-BAT)

Report sections 4.3.1.1 and 4.3.1.2 noted with respect to Ni results at both the up and down gradient sampling points. We agree with recommendations to re-sample, and this should be done

so at the earliest opportunity (results represent an increase, or an anomaly)

Further comments on M-BAT tool to be provided in due course.

Landfill gas monitoring - permit condition 3.1.7

No non-compliances for methane, though report sections 4.5 and 5.4 recommendations noted and agreed for replacement of monitoring point GMW14. **Action** SVWS to consider doing this work whilst the drilling rig is on site for groundwater well GW11A?

Improvement Conditions IC1b and IC2

IC1b - Arup have provided a Technical note on 23rd March with further recommendations - this is approved. We are satisfied that SVWS can for the time being postpone the need for pumping from GW9 and continue monitoring to see if ammoniacal nitrogen concentrations continue reduce so that it meets the compliance limit at this monitoring point.

IC2 - Arup have provided a contingency plan on 23rd March for potential failure of the BSC pipe - this is approved.

Site inspection 30 Aug 18

Inspection of closed landfill site, including selected air pumps relating to the groundwater cut-off system.

The site appears to be in general good order.

Refer to previous CARs to review performance, pipe-work falls and consideration for some replacement gas extraction wells.

Sheep observed on the site are considered a non-compliance, please arrange for their removal as soon as practicable.

Small areas of windblown litter in drainage ditches near the transfer station, please retrieve as soon as practicable.

Please ensure surface water samples are handled correctly, refer to section 9.11.3 of guidance LFTGN 02 on sample preservation:-

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/321602/LFTGN02.pdf

We also inspected the Water Abstraction licence during our visit. A separate CAR form has been issued covering this aspect (CAR_NRW0033904)

EPR Compliance Assessment Report

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Operator/Permit holder	Silent Valley Waste Services Ltd	Date	30/08/2018

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.

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.

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			
G4	O	To keep under review and include as part of the HRA Review which is now due.	30/09/2018
C2	C4	Remove windblown litter from surface water drainage system as soon as practicable	30/09/2018
D1	C4	Arrange removal of sheep from site as soon as practicable	30/09/2018
G1	C3	Ensure samples are handled correctly in accordance with relevant guidance	30/09/2018

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.