

Compliance Assessment Report CAR_NRW0040673

Permit being assessed: JP3239ST.

For: Lamby Way Landfill Site EPR/JP3239ST, held by The County Council of the City and County of Cardiff

At: Lamby Way Landfill Site Lamby Way, Cardiff, Cardiff, CF3 8EQ.

Type of assessment carried out: Audit, Reason: Routine.

On 30/09/2022 between 13:00 and 16:00.

Parts of permit assessed: 1.0, 2.0, 3.0, 4.0

NRW Lead Officer: Richard Taylor, accompanied by Geraint Harris.

Report sent to: Andrew Williamson, Contract Manager on 25/11/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

No action required.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Site Inspection – Lamby Way Landfill

Permit Number EPR/JP3239ST

Present

Andrew Williamson (Contracts Manager)

Martin Williams (Site Manager)

Geraint Harris (NRW)

Richard Taylor (NRW Site Officer)

The purpose of the site visit was to fulfil the timing interval of a routine periodic inspection. The site had not been inspected since 10th Feb 2021. Therefore, an inspection was overdue. The inspection focussed on the main risks of the site to the environment, how it was being currently managed, and to confirmed that the permit currently represents activities on site.

1.0 Current Status

The current status of the landfill is closed to waste input. The LWEE stopped accepting waste on 1st July 2017 and LWS ceased in Aug 2000. Since then, a phased capping and restoration programme has been implemented. Site reports that LWS was capped in 2002. LWEE has been capped in stages with 6 ha over parts of cell 2 and 4 in 2013 and 12 ha in 2017 comprising of Cells 1,4,5, and 5A. Final capping was reported to be completed in Dec 2017.

2.0 Permit Compliance

General Management. Experienced managers are in position. Monitoring is routinely carried out in accordance with the site permit which remains in place. The site is run according to the management system for the site.

3.0 Gas Field

The gas field is balanced by experienced operators from Infinis on behalf of the landfill. A working relationship must be maintained between the two sites because they are mutually reliant on one another. The previous reported problems between the sites have now been resolved. Infinis run the neighbouring gas engine plant under a separate permit FP3238SL which utilises the landfill gas under regulations laid down in the landfill regs.

4.0 Leachate levels

Previously identified as an issue, leachate levels have been steadily decreasing towards permit compliance limits. The last Hydrological risk assessment for the site was submitted in Feb 2022 and requested that the site compliance limit for the leachate was raised from 1m to 2m. Originally the leachate was drained out of the site by 4 drains, but these have been capped off. The permit limits are in place to prevent strain on the infrastructure of the landfill. A limit of 2m has subsequently been used as the permitting compliance mark. The site has managed to reach the limit in all quarters so far this year except September's reading which was a marginal exceedance at 2.03 m. However, this represents a marked improvement.

5.0 Access to Monitoring Points

This must be maintained to remain compliant with the permit in accordance with pc 1.1.1(a). Non-taking of samples due to excess vegetation or lack of maintenance will be scored as a noncompliance under the compliance assessment process against this permit condition. A following

CAR form will be issued separately for the Q1,2,3,4 performance results.

6.0 Site Security

Good levels are maintained throughout the site. The site has ringed fencing and CCTV coverage.

7.0 Site Tour

This was limited in scope due to bad weather. However, there was no evidence of windblown waste, pests, odour, dust, vandalism, excess noise/vibration, or gas leaks.

Pic 1 – Gas well LMBM0909 shown. DSEAR markings were present. The wells showed signs of regular maintenance. Access to each well seen on the day was good.



End.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.