Compliance Assessment Report

Report ID:
CAR_NRW0033471

This form will report compliance with your permit as determined by an NRW officer					
Site	Palleg Landfill Phase II EPR/BT1908IX	Permit Ref	BT1908IX		
Operator/Permit holder	JLA Disposal Limited				
Regime	Installations				
Date of assessment	03/08/2018	Time in	14:00	Out	16:30
Assessment type	Report/Data Review				
Parts of the permit assessed	see below				
Lead officer's name	Ward, Tyrone				
Accompanied by	Haf Peskett				
Recipient's name/position	John Adams/ Director	Date issued	04/09/2018		

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	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
	C3	2.3.1
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	A	
E2 - Emissions - Land and groundwater	C4	3.5.1
F1 - Amenity - Odour	C4	3.1.2
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	C4	3.1.5
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	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	**5**	**Total compliance score** (see section 5 for scoring scheme)	8.3

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 data

Q1 and Q2 data received and reviewed. Schedule 6 for landfill gas provided, considered CCS4.

Waste returns

Q1 and Q2 received and reviewed.

Site inspection 5th June18

Cell 5 filling and re-profiling on going. JLA detailed the preparation that has taken place in relation to sub cell 6, including excavating clay to formation levels. This will be completed by the end of the week. CQAP provided and being considered by NRW (see update below)

Photo 1 showing sub cell 5 tipping.

Photo 2 showing layout and formation levels for sub cell 6

The SWMS pipe-work has been improved between the holding lagoons which now seem to be performing as designed. The ground was very dry during visit and there has been no pumping or discharge for ~3 weeks. It was therefore not possible to check quality, though the Q1 sampling results show a positive improvement. Agreed to provide quarterly results for information.

Photo 3 shows the dry conditions in valley feature holding lagoon

Along Sub cell 4 south flank and in the perimeter ditch / stream / SW3 /SW4 sample points there are numerous pieces of windblown litter - this should be retrieved as soon as practicable. Potential for contamination in water considered non compliance CCS3 in first instance.

Photo 4 showing litter at SW4 sample point.

Slight landfill gas odour on SE corner and cell 4 south flank detected; though none off-site.

Inspection of cell 5 tipping area revealed predominance of plastics and foam material mixed with dry fines. Low degradable fraction and settlement potential.

We discussed H&S around gas/leachate wells and the use of I/R Thermal imaging camera to monitor emissions. The camera will help to identify the main features so sealing can be improved.

Photo 5 showing In-waste lfg / leachate well 2

The following queries were raised and resolved in relation to the CQAP:-

a) Level of supervision agreed with JLA is:

Mineral Liner – Part time , but full time during mineral liner testing. Design levels and spot heights provided as required piecemeal during placement

HDPE and Geotextile placement and testing – Full Time.

Stone placement - Design levels and spot heights provided as required piecemeal during placement

Pipe Welding – Full Time

Geophysical Testing – Full Time

b) New HPS11 is to be used throughout Sub-Cell

C) Target pads - these are not part of the MGS well design.

Site inspection 3rd Aug - Construction of sub cell 6

There were three construction aspects discussed during our site visit on the 3rd August with Geotechnology.

1. The 0.25m clay regulating layer was constructed during the dry weather period last month. The CQA Engineer noted that it was drying out and is concerned that the permeability results won't meet the specification set.

- Could photographs be provided of the clay layer before the FML was laid?
- Was there any evidence of shrinkage and or desiccation?
- Please provide the location of validation sampling points for permeability, and detail whether these were located randomly or selectively?

The CQA plan, sections 9.5-9.7 requires that the CQA engineer inspects material prior to and following construction for compliance. If the material doesn't meet the specification set out in the Construction Specification (Ref 1807r1v1d0018), it will be considered non-compliant or out of-spec, in which case there is a chance that the clay may have to be reworked and re-laid if material suitability can't be justified.

2. We were informed on site that there will be no target pad constructed within the cell. It was also apparent that none of the former cells have been constructed with a target pad. Whilst this is not a requirement of the permit it is now seen as best practice within LFE guidance such as 'Landfill Engineering: Leachate Drainage, Collection and Extraction Services, R&D Technical Report P1-397/TR' . We would therefore strongly encourage that best practice is followed and a pad be installed within this cell.

3. Leachate pipework is being jointed by automatic electrofusion welding. A leak detection survey will be carried out following completion of welding. This is line with the relevent guidance however we would recommend that the operators of the electrofusion welders are required to demonstrate competency for CQA purposes and demonstrate accreditation with an appropriate body.

4. We also discussed the number and location of In-waste gas/leachate points. These are detailed in the site design documentation. JLA to familiarise cell requirements.


Photo 6 showing sub cell construction

Other items:-

We discussed the July18 planning application for a revision to the final profile. The application is for a slight height increase and dome, rather than the existing 'wedge' landform)   NRW are a consultee with LPA and are providing comments.

We discussed the requirement for a permit variation in relation to the planning. This should include updated site drawings (also encompassing the leachate storage tank and risers outside the permit boundary) and a review of risk assessments (SRA, HRA, LFG) In relation to slope stability, the plasic fraction is acting as a geo-grid. *It may be beneficial to incorporate this variation as part of the NRW led template variation.*

We also discussed waste volume to tonnage low conversion factor.

The ground was again very dry during the visit, and there has been no pumping or discharge of surface water for several months. It was therefore not possible to check or sample the quality (at SW4)

Slight off-site odour considered non compliance CCS4.

Some windblown litter was observed off site in adjacent field; this should be retrieved as soon as practicable. Non compliance previously identified above.

On-going non compliance in relation to flank coverage and intermediate cover.

There is a small patch of Japanese Knotweed on the flank above southern ditch which was identified to JLA - this should be treated as soon as practicable.

Q1 and Q2 surface water monitoring results provided for information.

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Operator/Permit holder	JLA Disposal Limited	Date	03/08/2018

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			
C2	C3	Ensure waste is retrieved as soon as practicable in accordance with management systems.	31/08/2018
F3	C4	Minor windblown litter observed in adjacent field, to be retrieved as soon as practicable	30/08/2018
E2	C4	See Sch6	30/09/2018
F1	C4	Review and seal main emission points, by use of thermal imaging camera. Reduce area of exposed flanks	30/09/2018
C2	C3	On-going non compliance in relation to flank coverage and use of intermediate cover	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.