

Compliance Assessment Report CAR_NRW0041176

Permit being assessed: KP3795FU.

For: Hendy Quarry Landfill, held by Tarmac Trading Limited

At: School Road, Miskin, Pontyclun, R C T, CF72 8PG.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 31/12/2022.

Parts of permit assessed: Annual Returns

NRW Lead Officer: Richard Taylor.

Report sent to: Paul Stanyard, Monitoring Manager on 17/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	C4 No impact	3.6.1
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4 No impact	S4.1

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

Total number of non-compliances recorded	Total non-compliance score
2	0.2

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?

Criteria	Action needed	Complete by
E1	Return to permit compliance limits	Already completed
G1	Ensure volumes are submitted with quarterly reports	Already completed

Action criteria codes are listed in the 'Important information' section below.

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

Annual Returns Report 2022 –

Hendy Quarry

Permit KP3795FU

Site Notes – Permit variation (V007) from May 2019 increased daily discharge from soakaway from 750m³/day and 25ltr/sec to 5000m³/day and 48ltr/sec.

Daily flow is recorded daily, averages of ltrs/sec figures are calculated monthly. Suspended solids are limited to 100mg/l; Mineral Oil 5mg/l, and pH 6-9, monitored monthly. Soakaway results are reported quarterly.

Trigger levels for groundwater have been set for Chloride, Ammoniacal Nitrogen, Sulphate, Nickel, Cadmium and Naphthalene in line with the LFTGN02, monitored quarterly, reported quarterly.

Landfill Gas is required to be monitored in accordance with an approved landfill gas management plan reported quarterly. Walkover surveys occur at 6-month intervals.

Annual input limited to 450,000 tonnes of inert material.

Wells

3 Destroyed - BH01, BH03, BH04.

3 boreholes removed – BH06, BH10, BH11, BH12.

4 boreholes cannot be located – BH08, BH09, BH0E, BH0Y

1.0 Annual Report for 2022 – received on time

The report meets the requirements of permit condition 4.2.1.

2.0 Landfill Gas boreholes

5 boreholes exist at the site from the original 11. To compensate, the site carried out FID monitoring on a 6-monthly basis. All measurement parameters were within permit limits, but not all boreholes were sampled once per quarter. 6 monthly FID surveys were carried out in Q2 and Q4 and produced negligible results,

CO₂ levels were found above the permit limit 1.5% in 2 outer boreholes during 2022 with the highest 3.2%.

Action – 2 exceedances in CO₂ during 2022 from 2 outer boreholes. This is a permit limit breach without a significant environmental effect and is scored as a Cat 4.

Cat 4 - 0.1 points

3.0 Groundwater

Groundwater levels declined across the 4 monitoring points during 2022.

Site reported a breach of naphthalene in the annual report but reported this as 0.41mg/l. On checking,

the figure should have been reported in micrograms per litre as 0.41 µg/l against a permit limit of 10µg/l which does not constitute a breach. To ensure this is the case, site is required to send the SOCOTEC sampling report for Octobers samples for groundwater through. The result appears to be an anomaly. Results before and after returned to below the limit of detection.

Action – Site to check the nomenclature of the groundwater lab results for October and forward a copy to NRW.

4.0 Schedule 6 Reports 2022

- Site reported missing daily discharge volumes from Q1, and Q4 reports.

Action - This is a noncompliance to pc S4.1 and earns a minor Cat 4 score carrying Cat 4 - 0.1 points.

- Site reported a borehole status update with several unable to be sampled. Site are required to maintain safe access to monitoring boreholes as laid down in CAR form CAR_NRW0038704 sent to site 3rd Sept 2021. Site have reported Boreholes 1, 3, 4, BH0B, BH0E, BH0Y, BH10, BH11 BH12 as lost with BH02 destroyed. The status of the boreholes has previously been discussed in previous CAR forms. The status as known from 2021 is listed in the notes at the top of this report. It accounts for all the boreholes mentioned except BH08, BH09, BH0E, BH0Y which need to be addressed.

Action – Site to assess the status of boreholes BH08, BH09, BH0E and BH0Y and report the findings to NRW by 31st March 2023.

5.0 Surface Water

Site only managed one sampling run during 2022 for Q1. The other occasions were reportedly dry. No breach of permit limits was reported.

The permit requires the discharge volumes to be measured daily and carries limits for daily flow. Site reported no discharges occurred from May – Sept but missed taking readings in October and December as reported via a schedule 6 report above.

6.0 Annual Performance Data

Surface water disposed from site was reported as 94,340m³for 2022.

No effluent was discharged.

Site consumed No energy during 2022.

No waste was interned during 2022.

The remaining void space is calculated as 1,300,054m³

Site submitted Annual settlement behaviour information and topological information for 2022.

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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.