

Compliance Assessment Report CAR_NRW0041471

Permit being assessed: MP3835SV.

For: Silent Valley Landfill Site, held by Silent Valley Waste Services Ltd

At: Beechwood House , Ebbwvale, Blaenau Gwent, NP23 6PZ.

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

On 31/12/2022.

Parts of permit assessed: Monitoring and reporting requirements

NRW Lead Officer: Luke Burton.

Report sent to: Noel Chard, Technical Manager on 06/03/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.3

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
G4	Operator to provide: A full review of the results of monitoring and assessment (including the missing parameters); and, the landfill gas annual production/treatment set out in schedule 4 table S4.2. NB This may include total quantity of gas combusted under environmental permit EPR/ZP3535SQ and number of flare run hours with an estimated quantity of gas flared.	20/03/2023
G4	Operator to provide: Emissions to air (flare), other landfill gas monitoring parameters (input to LFG compound), other leachate monitoring requirements (leachate head along BSC pipe and base of monitoring point), and, other groundwater monitoring requirements (GW11A and base of monitoring point).	20/03/2023

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

Condition 4.2.2 of the environmental permit states:

A report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year. The report(s) shall include as a minimum:

- (a) a review of the results of the monitoring and assessment carried out in accordance with this permit against the relevant assumptions, parameters and results in the risk assessments submitted in relation to this installation and any agreed amendments thereto;
- (b) the annual production/treatment set out in schedule 4 table S4.2;
- (c) the topographical surveys required by condition 3.5.3 other than those submitted as part of a CQA validation report;
- (d) an assessment of the settlement behaviour of the landfill body based on the difference between the most recent topographical survey and previous annual topographical survey for the areas of the landfill which did not receive waste between the surveys.

Condition 4.2.3 of the environmental permit states:

Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by Natural Resources Wales, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

- (a) in respect of the parameters and emission points specified in schedule 4 table S4.1;
- (b) for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table S4.4; and
- (c) giving the information from such results and assessments as may be required by the forms specified in those tables.

Table S4.1 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.1 Reporting of monitoring data

Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Leachate levels As specified by Schedule 3, Table S3.1		Every 3 months	31 March, 30 June, 30 September, 31 December
Emissions to air Parameters as specified by Schedule 3, Table S3.2		Every 12 months	31 March, 30 June, 30 September, 31 December
Groundwater Parameters as specified by Schedule 3, Table S3.3		Every 3 months	31 March, 30 June, 30 September, 31 December
Landfill gas surface emissions as specified by Schedule 3, Table S3.5		Every 12 months	31 March, 30 June, 30 September, 31 December
Landfill gas lateral migration Parameters as specified by Schedule 3, Table S3.4		Every 3 months	31 March, 30 June, 30 September, 31 December
Other Landfill gas monitoring Parameters as specified by Schedule 3, Table S3.6		Every 3 months	31 March, 30 June, 30 September, 31 December
Other leachate monitoring Parameters as required by condition 3.5.1		Every 3 months	31 March, 30 June, 30 September, 31 December
Hazardous Substances screen		Every 4 years	
Other surface water monitoring Parameters as required by condition 3.5.1		Every 3 months	31 March, 30 June, 30 September, 31 December
Other groundwater monitoring Parameters as required by condition 3.5.1		Every 3 months	31 March, 30 June, 30 September, 31 December
Hazardous Substances		Every 4 years	

Table S4.2 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.2 Annual production/treatment

Parameter	Units
Leachate: Disposed of off site; Disposed of to any onsite effluent treatment plant; Recirculated into the waste mass.	Cubic metres/year
Surface water and/ or groundwater: Disposed of off site; Disposed of to any onsite effluent treatment plant.	Cubic metres/year
Landfill gas: combustion in flares; combustion in gas engines; Other methods of gas utilisation.	Normalised cubic metres/year

Table S4.3 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.3 Performance parameters

Parameter	Frequency of assessment	Units
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Table not applicable

Table S4.4 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.4 Reporting forms

Media/parameter	Reporting format	Date of form
Leachate	Form Leachate 1 or other reporting format to be agreed in writing with Natural Resources Wales	04/03/2016
Air	Form Air 1 or other reporting format to be agreed in writing with Natural Resources Wales	04/03/2016
Controlled water	Form Water 1 or other reporting format to be agreed in writing with Natural Resources Wales	04/03/2016
Groundwater	Form Groundwater 1 or other reporting format to be agreed in writing with Natural Resources Wales	04/03/2016
Landfill gas	Form LFG 1 or other reporting format to be agreed in writing with Natural Resources Wales	04/03/2016
Waste Return	Waste tonnage return form from the Natural Resources Wales website or other form as agreed in writing by Natural Resources Wales	04/03/2016
Landfill topographical surveys and interpretation	Reporting format to be agreed in writing with Natural Resources Wales	04/03/2016

Report(s) for condition 4.2.2 were submitted via email on 31/01/23

The report(s) submission was made inside the reporting window which represents compliance with the environmental permit.

The report(s) submitted are missing parameters (as below) and therefore do not include a full review of the results of monitoring and assessment carried out in accordance with this permit which represents non-compliance with the environmental permit.

The report(s) submitted are taken to include the leachate, ground and surface water annual production/treatment set out in schedule 4 table S4.2 on the basis that they are reported by Blaenau Gwent County Borough Council under environmental permit EPR/UP3335SN, as per CAR_NRW0041368 which represents compliance with the environmental permit.

The report(s) submitted do not include the landfill gas annual production/treatment set out in schedule 4 table S4.2 which represents non-compliance with the environmental permit.

As a result of this non-compliance a CCS Score C4 has been recorded against compliance sub-criteria G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales.

Action: Operator to provide, the following by: 20/03/23

- A full review of the results of monitoring and assessment (including the missing parameters); and,
- The landfill gas annual production/treatment set out in schedule 4 table S4.2. NB This may include total quantity of gas combusted under environmental permit EPR/ZP3535SQ and number of flare run hours with an estimated quantity of gas

flared

The report(s) submitted do not include the topographical surveys required by condition 3.5.3 other than those submitted as part of a Construction Quality Assurance validation report which represents compliance with the environmental permit. See note re condition 3.5.3 (c).

The report(s) submitted do not include an assessment of the settlement behaviour of the landfill body which represents compliance with the environmental permit. See note re condition 3.5.3 (c).

As per condition 3.5.3 (c) a review of the frequency of the topographical surveys after Year 7 dependent on identification of changes in the landfill topography must now be conducted.

Action: Operator to propose a frequency of topographical surveys going forward, including the rational for said frequency by: 09/05/23.

Report(s) for condition 4.2.3 were submitted via email on 31/01/23

The report(s) submission was made inside the reporting window which represents compliance with the environmental permit.

The report(s) submitted include the following parameters and emission points specified in schedule 4 table S4.1 which represents compliance with the environmental permit.

- *Leachate levels;*
- *Groundwater parameters;*
- *Landfill gas lateral migration parameters; and,*
- *Other surface water monitoring parameters.*

The report(s) submitted do not include the following parameters and emission points specified in schedule 4 table S4.1 but represents compliance with the environmental permit on the basis that this form of monitoring is not currently deemed to be required by Natural Resources Wales.

- *Landfill gas surface emissions (permanently capped zone);*

The report(s) submitted do not include the following parameters and emission points specified in schedule 4 table S4.1 which represents non-compliance with the environmental permit.

- *Emissions to air (flare);*
- *Other landfill gas monitoring parameters (input to LFG compound);*
- *Other leachate monitoring requirements (leachate head along BSC pipe and base of monitoring point); and,*
- *Other groundwater monitoring requirements (GW11A and base of monitoring point)*

The report(s) submitted (excluding the missing parameters above) are for the reporting periods specified in schedule 4 table S4.1 which represents compliance with the environmental permit.

The report(s) have not been submitted using the forms specified in schedule 4 table S4.4 but this represents compliance with the environmental permit on the basis that the reports aim to provide the information (excluding the missing parameters above) required by the forms in a satisfactory manner.

As a result of this non-compliance a CCS Score C4 has been recorded against compliance sub-criteria G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales.

Action: Operator to provide the following by: 20/03/23.

- Emissions to air (flare);
- Other landfill gas monitoring parameters (input to LFG compound);
- Other leachate monitoring requirements (leachate head along BSC pipe and base of monitoring point); and,
- Other groundwater monitoring requirements (GW11A and base of monitoring point)

Following completion of the above actions a full review of all reporting parameters will be made and a further Compliance Assessment Report issued.

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.