

Compliance Assessment Report

Report ID:
CAR_NRW0034128

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	06/02/2019	Time in	13:30	Out	16:00
Assessment type	Report/Data Review				
Parts of the permit assessed	See below				
Lead officer's name	Ward, Tyrone				
Accompanied by					
Recipient's name/position	John Adams/ Director	Date issued	07/05/2019		

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)	C3	3.1.2
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
	C4	2.3.1
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	C4	3.1.2
F2 - Amenity - Noise	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	4	Total compliance score (see section 5 for scoring scheme)	8.2
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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 data

Q3 and Q4 data received and reviewed (Q4 included as part of AER)

No results provided in relation to groundwater down-gradient monitoring point GW4. JLA have detailed this was due to pump failure, and a replacement has now been ordered.

2018 Annual Report

Report received and reviewed. We agree with the actions in section 12.2 Report provided after our last site meeting, however some comments are still relevant.

Remaining site volumes to be provided as soon as practicable.

Waste returns

Q3 and Q4 data received and reviewed.

Site meeting and inspection 6th Feb 19

Discussed outstanding sub cell 6 CQA queries with Geotechnology on 5th Feb, and with JLA during our site visit (refer to e-mail 20th Nov 18) Response provided by Geotechnology on 8th Feb, which will be included in the CQA Validation report. Please provide report as soon as practicable.

We discussed planning application ref DIS/2017/0126 for a revision to the final site profile (a slight height increase and dome, rather than the existing 'wedge' landform.) NRW have previously provided comments to the LPA and a decision is pending. Should the outcome be known shortly, we have asked JLA to include relevant details in their AER and for going forward. NRW to also contact the LPA for an indicative decision date.

The surface water holding lagoons appear to be performing as designed.



Photo 1 showing holding lagoon system

Site drainage was being pumped and NRW sampled at the discharge point near SW4 (sample ref 3570)

Results were within the limits in the permit, with the exception of suspended solids (115mg/l)

Though local geology lend to very fine particles, suspended solid concentration may be improved by regular maintenance / addition of further hydroblox. Considered **non-compliance CCS3**

The flexible transmission pipe-work may be subject to movement due to weather and temperature variations. During the visit, a coupling was found to be loose. Action JLA to include pipe-work inspection and maintenance as part of daily checks, and prior to water discharge.

SW1 results are provided as part of quarterly monitoring for information.

Inspection of the tipping area revealed predominance of plastics and foam material mixed with dry fines. Low biodegradable fraction.



Photo 2 showing sub cell 6 and waste encroachment

Due to restricted space, waste has encroached over the bund and water in cell 6 is now being collected and directed to the leachate sump. Collections are taking place by tanker to Carmarthen (Mekatek) Return volumes reorded.

Noted that the compactor had broken down (with need to hire in a replacement)

The Valley Infill feature has been raised 5-6m using site won material but is still incomplete in some sections. JLA may need to use other non-waste stockpiles on surrounding land to bring up to level.

In relation to groundwater point GW4 it was reported that the borehole pump was broken during the last sampling round, so no sample could be provided. A replacement has been ordered.



Photo 3 Valley Infill feature and GW4. Levels to be completed in some sections.



Photo 4 showing Valley Infill and leachate infrastructure.

Discussed requirement for variation for Leachate collection and storage. Whilst the tank and risers are subject to a SMPM, they are outside of the permit boundary. This aspect will need to be included as part of a variation for the revised landform (see previous correspondence)

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.

On-going noncompliance in relation to south flank coverage and intermediate cover CCS4.

Slight off-site odour on south east corner considered non-compliance CCS4.

Review of complaints – none received this year.

EPR Compliance Assessment Report

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Operator/Permit holder	JLA Disposal Limited	Date	06/02/2019

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.

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			
B3	C3	Seev CAR text	28/02/2019
C2	C3	Ensure waste is retrieved as soon as practicable in accordance with management system	28/02/2019
F1	C4	Refer to previous, in particular, reduce area of large exposed flanks	28/02/2019
C2	C4	On-going non compliance in relation to flank coverage and use of intermediate cover	31/05/2019

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.