

## Compliance Assessment Report CAR\_NRW0043484

**Permit being assessed:** GP3830BG.

**For:** Chirk Landfill Site EPR/GP3830BG, **held by:** FCC Waste Services (UK) Limited

**At:** Pen-y-Bont Works , Chirk, WREXHAM, Clwyd, LL14 5AR.

**Type of assessment:** Report/Data Review,

**Reason:** Routine.

**On:** 31/12/2023.

**Parts of permit assessed:** Q4 Returns and Annual Report.

**NRW Lead Officer:** Paul Challender.

**Report sent to:** Leon Terrace, Compliance Advisor, on 19/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2I - Operations - Leachate levels (only applicable to landfill)	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR4B - Information - Reporting	Assessed (A)	
IR4C - Information - Notification	Assessed (A)	

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

Total 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**

This Compliance Assessment Report (CAR) has been raised by the Natural Resources Wales (NRW) regulating officer, Paul Challender to review the submitted Q4 Monitoring Returns and the Annual Report.

**Q4 Monitoring Returns****Landfill Gas in External Monitoring Boreholes**

T11 is a monitoring point with constantly high CH<sub>4</sub> levels that are known not to be of landfill origin. No other boreholes displayed readings above 0% v/v for methane in this monitoring round.

**Landfill Gas in Waste Monitoring Points**

In waste gas parameters were monitored as per table S3.7 and reported as being acted upon across Q4. In this quarter, 148 readings of oxygen levels exceeding 5% were recorded.

A large number of gas wells are reported to be closed due to management of a recent hotspot. The operator's landfill gas contractor is currently being actively managed by the operator due to the hotspot. The contractor is currently performing monitoring of enhanced frequency and is conducting bag sampling of wells with elevated CO.

The gas engines have recently been downsized to two mini-gens in November 2023; the operator has made this change in conjunction with improved gas field management to improve gas balance across the gas field.

**Point Source Emissions to Air**

Annual monitoring of the flare and gas engines are to reported in the annual report. This data is expected in 31/01/24.

**Point Source Emissions to Water**

Surface water sampling was carried out in accordance with Schedule 3, Table S3.3 and S3.9. No discharge took place from WP4 or WP5, therefore these monitoring locations could not be sampled.

**Groundwater**

Groundwater samples were taken throughout the monitoring period in accordance with Tables S3.4 and S3.10. All reported parameters were within required elvs.

**Leachate Levels**

Leachate levels are compliant with the limit applied by Permit Condition 2.8.1, Schedule 3, Table S3.1.

### **Leachate**

6-monthly leachate monitoring was conducted in November 2023 and reported in the submitted Q4 returns as per Permit Condition 3.5.1(a), Schedule 3, Table S3.8. The next round of 6 monthly and annual leachate quality monitoring will take place in May 2024.

### **Annual Report**

The Annual Report was submitted to NRW via email on 31/01/24 as required by Permit Condition 4.2.2 and contained all expected information with no issues identified with the submitted data. The monitoring data review as required by Permit Condition 4.2.2(a) was not submitted with this report and is expected by the 31<sup>st</sup> March 2024.

All data required to be submitted by Permit Conditions 4.2.2 (b, c, d, e & f) were received and reviewed with no issues identified.

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.

**If your assessment result in Section 1 is suspended, what does this mean?**

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 compliance criteria (used in section 1 and 2):**

**1. Management**

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

**2. Operations**

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

**3. Emission and Monitoring**

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

**4. Information**

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

**Enforcement response**

Any non-compliance with a permit condition 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 twenty 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 to 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto: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](mailto: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.