

## Compliance Assessment Report CAR\_NRW0043878

**Permit being assessed:** BP3795FD.

For: Ferry Road Landfill, held by The City of Cardiff Council

At: Ferry Road, Grangetown, Cardiff, Glamorgan, CF11 0JL.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 06/03/2024 between 11:00 and 12:30.

Parts of permit assessed: General Site inspection

**NRW Lead Officer:** Sally Wakeford.

**Report sent to:** Matthew Long, Depot & Infrastructure Manager on 27/03/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	

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

Total number of 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

On 06 March 2024 a site inspection at Ferry Road Closed Landfill, permit reference number EPR/BP3795FD, was undertaken by NRW Officers Sally Wakeford and Katie Lewis-Davies and accompanied on site by Matthew Long and Andrew Williamson from

Cardiff Council and Kier from Geotechnology Ltd.

The weather was dry and clear with a light breeze.

The inspection was undertaken so the NRW officers could undertake a follow up review of actions following the previous visits, incidents and further familiarisation.

During the walkover inspection, the previously connected outlet to Cardiff Bay by the Watermark Building was examined. From the photographs below it is clear that the outlet continues to be impacted by contamination.

Photos of Outlet to Cardiff Bay at Watermark Building:



Whilst on site the preliminary findings of the latest sample taken by the Operator which arrived via email during the inspection showed that the sample contained leachate.

**Action: Provide the complete sample report via email.**

The extensive surface water drainage surveys undertaken by Cardiff Council in the last few years indicated that the pipework between the perimeter leachate drain from Ferry Road landfill to the Cardiff Bay outlet was impacted by groundwater ingress. It was discussed that the groundwater in the area is impacted by leachate.

The Operator was, during the inspection, actioned to undertake dye tracing of the perimeter leachate drain to confirm the direct input to surface water system has been properly disconnected.

Following this inspection on the 20 March 2024 the dye testing was undertaken by the Operator. The dye was placed within the leachate perimeter drain and did not appear in the

outlet to Cardiff Bay within 3.5 hours. This should have been sufficient time for the dye to have reached Cardiff Bay. This has confirmed that the direct connection with surface water has been blocked adequately.

As the groundwater is already impacted due to historic landfilling in the area and previous management of the site, Cardiff Council should focus on preventing further contamination of the groundwater, by appropriately managing the landfill to ensure the leachate level gets to and remains at the level as originally designed.

Observation wells situated around the landfill have been brought back into commission since the last inspection. This will provide further data to ground-truth the dip monitoring results and confirm the leachate level currently within the site.

**ACTION: Confirm the level of leachate within the landfill.**

The Operator has engaged Geotechnology Ltd to investigate further into the leachate control system. Following this work, it would be useful to undertake a further inspection with Geotechnology to fully understand the findings.

**Annual Report:**

Following the inspection, it was requested, as its not a permit requirement, that the Operator begin to submit an Annual Report for the monitoring already being undertaken of the site. This would interpret the data and enable us to better understand the performance of the site. Andrew Williamson indicated this is something which could be possible.

**Summary of Actions from previous CAR form:**

**Actions Completed:**

- Installation of additional borehole for perimeter monitoring – scheduled for 23/10/23 – Update NRW on completion;
- Addition of new borehole to site plan following installation – please ensure this is a comprehensive plan showing all relevant infrastructure. An update to the 1999 A3 plan would be ideal;
- 2023 Topographic survey.

**Ongoing actions:**

- Closure Report/Aftercare Plan to be updated to include maintenance regime and site operations - *IN HAND*.
- Update to HRA following completion of 6 months monitoring - *4 MONTHS MONITORING REMAINING*.
- Submission of permit variation application following completion of updated HRA. – *SEE ABOVE*.
- Continue to investigate the root cause of why Pumping Station D leachate collection tank does not receive leachate to its full capacity or suggest alternatives which will provide the same functionality as the original design of the landfill – *GEOTECHNOLOGY ENGAGED FOR FURTHER WORK, TRIGGER LEVEL REDUCED - INCREASING LEACHATE PRODUCTION FROM STATION D*.
- Propose and undertake remedial works to restore its function or implement

alternative measures – *SEE ABOVE*.

- Undertake a DSEAR Risk Assessment and implement findings. – *IN HAND*.

Additional Actions:

- Provide the complete sample report via email;
- Confirm the level of leachate within the landfill;
- Provide an annual report/summary of the monitoring.

END.

**Any compliance criteria not highlighted in the above summary should be considered as not assessed.**

**In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.**

**You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1<sup>st</sup> April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.**

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](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.