

Compliance Assessment Report CAR_NRW0043548

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: Report/Data Review,

Reason: Routine.

On: 31/12/2023.

Parts of permit assessed: Annual Report.

NRW Lead Officer: Tyrone Ward.

Report sent to: Paul Stanyard, Monitoring Manager, on 05/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
E2 - Emissions - Land and groundwater	C4 No impact	3.6.1
E3 - Emissions - Surface water	C3 Minor	3.1.2
C3 - General Management - Materials acceptance	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
2	4.1

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
E2	Return to permit limits	30/04/2024
E3	Refer to text in CAR	30/04/2024

Compliance 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 Report 2023 received and reviewed.

Monitoring data

Surface water

No non-compliances in relation to SS, mineral oil and pH, which were within consented limits.

In relation to volume and flow rate, the site flow meter is not able to monitor discharge rate. The site may at times be unmanned, and as such obtaining daily meter readings is not always possible. Monthly readings are taken; however, during 2023 readings were only taken from September to December with average values presented. These missing readings are therefore considered a minor non-compliance. **Action** - please appraise options for automatic monitoring and recording of data, and provide an update by 30th April.

Groundwater

No non-compliances in the downgradient boreholes PZ07/08R & PZ08/08R.

Landfill Gas

The following general points can be made with regard to the gas data from the gas wells over the review period:

Perimeter Boreholes - zero to negligible (0.3%) methane was recorded in any of the perimeter monitoring locations during the review period. As such the compliance limit was not exceeded.

Carbon dioxide concentrations ranged from 0.1% to a maximum of 1.8%. The 1.5% compliance limit was breached on two occasions during the period. Considered a non-compliance with no environmental impact.

FID Walkover survey - FID walkovers were conducted and submitted in Quarters 2 and 4 and found flammable gas concentrations at ~0ppm at all locations.

Also noted that zero to negligible methane concentrations were detected in the in-waste monitoring boreholes during the review period. Carbon dioxide concentrations ranged from 0% to a maximum of 0.9% v/v in the in-waste boreholes. BHB has been lost, BH07 was unsafe to access for the whole period, and BH02 was destroyed prior to the October monitoring round. **Actions** - 1) Please ensure that the remaining in-waste boreholes are clearly marked, or that staff and contractors made aware of their location, and 2) that

headworks are intact to allow representative samples of gas to be obtained.

Topographical survey

Drawing reference *H074 HENDY 2024-01-04 QU SETTLEMENT_A3L* dated 4th Jan 24 received and reviewed.

Also noted that no waste was accepted in between surveys, as confirmed by quarterly waste returns.

Separately, the Annual Report details that the following management improvements are required in 2024:

1. Install a suitable meter to allow the monitoring and recording discharge flow rate and monitor on a weekly basis
2. Report daily discharge readings (also refer to surface water action above)
3. Maintain access to all permit monitoring points.

Other items

Schedule 6 Notifications were also received separately for the above permit breaches. These have been reviewed, and considered as part of the site annual report.

Waste returns - received and reviewed.

Review of complaints - none made in relation to the site during 2023.

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.

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

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – 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 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.