

Compliance Assessment Report CAR_NRW0045658

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: 11/11/2024.

Parts of permit assessed: Q2 and Q3 Monitoring Returns.

NRW Lead Officer: Paul Challender.

Report sent to: Compliance Advisor, Compliance Advisor, on 18/11/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2K - Installations - Operations - Landfill gas management (only applicable to landfill)	Assessed (A)	
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	Permit Condition 3.1.5, Schedule 3, Table S3.4. Score C3.
IR4A - Installations - Information - Records	Assessed (A)	
IR4B - Installations - Information - Reporting	Assessed (A)	
IR4C - Installations - 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
1	4

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
IR3A	Decide upon the desired approach to groundwater boreholes	31/03/2025

Criteria	Action needed	Complete by
	in relation to a variation and inform NRW of your intentions.	

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

This Compliance Assessment Report (CAR) has been raised by the Natural Resources Wales (NRW) regulating officer, Paul Challender to review the submitted Q2 & Q3 Monitoring Returns.

Q2 Monitoring Returns

Leachate Levels

Leachate levels are compliant at the monitoring points required by Table S3.1.

Leachate

Six monthly leachate monitoring was conducted in May 2024 as per Permit Condition 3.5.1(a), Schedule 3, Table S3.8 with all required parameters reported. The next round of 6 monthly and annual leachate quality monitoring will normally take place in November 2024.

Surface Water

Monitoring of surface water was carried out as required by Tables S3.3 & S3.9.

Groundwater

Groundwater samples were taken throughout the monitoring period in accordance with Tables S3.4 and S3.10 and the results of the monitoring were submitted as required.

Zinc has been added to quarterly monitoring by the operator although the permit only requires annual monitoring of this parameter. The operator is conducting this extra monitoring to establish the trend of Zn in groundwater due to recent exceedances. Zn was compliant for this quarter.

Manganese is being monitored as per Zn above. Two breaches of the emission limit value (ELV) were identified at BH14 and T13. The operator also provided a detailed Schedule 5 Part A & B notification for these identified exceedances.

The notification refers to a historic land use assessment conducted to attempt to ascertain

the root cause of elevated Zinc and Manganese levels in some boreholes. At present NRW neither rejects or accepts this assessment and is maintaining a watching brief on the groundwater data. This assessment has not provided any data save for a desktop study identifying historic land use. As such scores will be applied for groundwater exceedances until a variation in relation to the Zn and Mn parameters is applied for and successfully determined.

Score: IR3A - Emissions to water, air or land. Permit Condition 3.1.5, Schedule 3, Table S3.4. Score C3.

Action: Decide upon the desired approach to groundwater boreholes in relation to a variation and inform NRW of your intentions.

Landfill Gas in External Monitoring

Landfill gas in external monitoring boreholes was monitored as per the requirements of Table S3.5. Boreholes T11 is a monitoring point with constantly high CH₄ levels that are known not to be of landfill origin. T11 is in close proximity to T10 and is believed to give rise to interference of recorded gas levels at T10. During this reporting period however, CH₄ did not exceed the 1% v/v CH₄ emission limit value at T10. All other boreholes were compliant for this quarter.

Landfill Gas in Waste Monitoring Points

In waste gas parameters were monitored as per table S3.7 and reported as being acted upon across Q3. In this quarter, 84 readings of oxygen levels exceeding 5% were recorded and multiple readings for percentage gas balance being greater than 20%.

Enhanced management, bag sampling and cooling is now conducted on detection of high CO with W116 being managed and controlled in this reporting period.

Q3 Monitoring Returns

Leachate Levels

Leachate levels are compliant at the monitoring points required by Table S3.1.

Leachate

Six monthly leachate monitoring was conducted in May 2024 as per Permit Condition 3.5.1(a), Schedule 3, Table S3.8 with all required parameters reported. The next round of 6 monthly and annual leachate quality monitoring will normally take place in November 2024.

Surface Water

Monitoring of surface water was carried out as required by Tables S3.3 & S3.9.

Groundwater

No breaches were reported for groundwater parameters.

Landfill Gas in External Monitoring

Landfill gas in external monitoring boreholes was monitored as per the requirements of Table S3.5. Boreholes T11 is a monitoring point with constantly high CH₄ levels that are known not to be of landfill origin. T11 is in close proximity to T10 and is believed to give rise to interference of recorded gas levels at T10. During this reporting period however, CH₄ did not exceed the 1% v/v CH₄ emission limit value at T10. All other boreholes were compliant for this quarter.

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Enhanced management, bag sampling and cooling is now conducted on detection of high CO with W117 being managed and controlled in this reporting period.

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 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.