

Compliance Assessment Report CAR_NRW0045937

Permit being assessed: PP3139GB.

For: Hafod Quarry Landfill Site, **held by:** Enovert North Limited

At: Hafod Quarry Landfill Bangor Road, Johnstown, Wrexham, LL14 6ET.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: Review of Q3 (July-September) 2024 monitoring data.

NRW Lead Officer: Jamie Blythin.

Report sent to: Regional Manager, Regional Manager, on 28/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.1 (a)
IR2I - Installations - Operations - Leachate levels (only applicable to landfill)	C3 Minor	2.7.1
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.1 (a)
IR2K - Installations - Operations - Landfill gas management (only applicable to landfill)	C3 Minor	3.1.7
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.1(c)
IR1A - Installations - Management - General Management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
6	24

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
IR3E	Action 1: Ensure all monitoring is completed as per permit requirements and that all permitted monitoring points are accessible.	31/03/2025
IR2I	Action 2 : Continue to complete actions as specified in Leachate Management Action Plan (LMAP) dated November 2024.	31/03/2025
IR3E	Action 3: Ensure all monitoring is completed as per permit requirements.	31/03/2025
IR2K	Action 4 - Continue to complete actions specified in Landfill Gas Action Plan (LFGAP) dated 24/01/25 & actions proposed following the Landfill Emissions Reduction Project (LERP) audit (CAR_NRW0045947).	31/03/2025
IR3E	Action 5: Ensure all monitoring is completed as per permit requirements.	31/03/2025
IR1A	Action 6: Provide NRW with a written update on the measures that Enovert have put in place to ensure monitoring is completed in line with the requirements of the permit (including ensuring access to all permitted monitoring points) and to increase monitoring staff resilience across the business.	31/03/2025

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

This Compliance Assessment Report (CAR) follows a review of the Q3 (July-September) 2024 monitoring data which was submitted to NRW on 29/10/24 in accordance with permit condition 4.2.3.

Leachate

The permit requires the operator to complete leachate monitoring as specified in tables S3.1 and S3.9.

During July and August, leachate level monitoring data was not completed at the following

monitoring points:

July-HafLMP5a (chamber too high to dip),HafLMP5b (chamber too high to dip) and Haf LC5B (no access)

August-HafLMP5a (chamber too high to dip),HafLMP5b (chamber too high to dip) and Haf LC5B (no access)

No leachate monitoring data was completed for any of the leachate monitoring points during September.

The operator states the reasons for not completing monitoring of leachate during September was due to a 'combination of staff availability, dip meters malfunctioning and a delay in the delivery of replacement dip meters.'

NRW considers the failure to complete monthly monitoring at all leachate monitoring points to be a breach of permit condition 3.5.1(a) and a non-compliance score has been applied (IR3E-Monitoring-C3).

Action 1: Ensure all monitoring is completed as per permit requirements and that all permitted monitoring points are accessible.

During Q3 a total of 3,841 m³ of leachate was removed from site for treatment. Leachate heads between 0.15 and 27.39m were recorded against a compliance limit of 2m. With reference to schedule 5 notifications Haf372 (July) and Haf373 (August), there were 13 instances reported where the recorded leachate level was greater than the compliance limit of 2m.

NRW considers this a breach of permit condition 2.7.1 and a non-compliance score has been applied (IR21-Leachate levels-C3).

Action 2 : Continue to complete actions as specified in Leachate Management Action Plan (LMAP) dated November 2024.

Quarterly monitoring for the leachate parameters specified in table S3.9 was not completed during Q3. The operator states that this was due to staff availability.

NRW considers the failure to complete quarterly leachate sampling as specified in table S3.9 to be a breach of permit condition 3.5.1(a) and a non-compliance score has been applied (IR3E-Monitoring-C3).

Action 3: Ensure all monitoring is completed as per permit requirements.

Landfill gas

Perimeter gas monitoring was undertaken in accordance with Condition 3.5.1(d) and Table 3.6 (Landfill gas in external boreholes). With reference to Schedule 5 notifications HAF 371 (July and August) and HAF374 (September), there were 28 instances during Q3 where methane (CH₄) levels in perimeter gas wells exceeded the 1% permitted Emission Limit Value (ELV). Values between 0-27.4% methane were recorded during Q3.

NRW considers this a breach of permit condition 3.1.7 and a non-compliance score has been applied (IR3A-Emissions to water, air or land-C3)

Action 4 - Continue to complete actions specified in Landfill Gas Action Plan (LFGAP) dated 24/01/25 & actions proposed following the Landfill Emissions Reduction Project (LERP) audit (CAR_NRW0045947).

Groundwater

Groundwater monitoring was undertaken in accordance with Condition 3.5.1(c) and Tables S3.5 (Groundwater-emission limits and monitoring requirements) and S3.11 (Groundwater - other monitoring requirements).

Samples were not taken at the following monitoring points as the operator states there was insufficient liquid to sample: BH HA 1A(T), BH HA 12A(T), BH HA 9A(T) and BH HA 11B(T).

Results for the sampled permitted monitoring points were in compliance with the permitted ELVs.

It is noted that elevated levels of chloride (900mg/l-18/09/24) were recorded in monitoring point BHHA6A(B) and slightly elevated levels of ammoniacal nitrogen (3.9 mg/l-18/09/24) in monitoring point BHHA2B(B). However, there are no permitted ELVs associated with these monitoring points.

The operator is required to carry out monthly monitoring of groundwater levels (dip to water -m- and water level mAOD). Monitoring was completed for July and August but not for September.

NRW considers the failure to complete monthly monitoring at all groundwater monitoring points to be a breach of permit condition 3.5.1(c) and a non-compliance score has been applied (IR3E-Monitoring-C3).

Action 5: Ensure all monitoring is completed as per permit requirements.

Surface water

Surface water monitoring was completed in accordance with Condition 3.5.1(b) and (e), Tables S3.3 (point source emissions to water-emission limits and monitoring requirements) and S3.10 (surface water-other monitoring requirements). These values were within the

permitted limits and therefore compliant.

Particulates

Both monitoring points were within the compliance limits (200mg/m²/day) specified in table S3.12. The NW monitoring point recorded an inferred dust deposition rate of 28.9 mg/m²/day. The SE monitoring point recorded an inferred dust deposition rate of 20.9 mg/m²/day.

General Management

On 18/12/24, the operator emailed all UK regulatory officers that regulate Enovert sites to update them on a situation whereby they have limited staff to complete monitoring activities. They have attempted to out-source this work to contractors, but this has not been successful. They are currently trying to prioritise the completion of monitoring work with in-house staff and are in the process of recruiting.

NRW acknowledge Enovert's situation with regards to monitoring staff availability but consider the root cause of the failure to complete monitoring in line with the requirements of the permit to be due to General Management and consider this a breach of permit condition 1.1.1 and a non-compliance score has been applied (IR1A-General Management-C3).

Action 6: Provide NRW with a written update on the measures that Enovert have put in place to ensure monitoring is completed in line with the requirements of the permit (including ensuring access to all permitted monitoring points) and to increase monitoring staff resilience across the business.

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.