

Compliance Assessment Report CAR_NRW0046392

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: Annual air emissions monitoring .

NRW Lead Officer: Jamie Blythin.

Report sent to: Regional Manager, Regional Manager, on 25/03/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C3 Minor	3.1.2
IR4C - Installations - Information - Notification	C3 Minor	4.3.1

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

Total non-compliances recorded	Total non-compliance score
2	8

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(2)	Source LFG engine to replace Engine 3.	21/04/2025
IR4C	Action 2- Operator to review management system procedures related to submission of schedule 5 notifications to NRW in line with permit condition 4.3. Provide a written update to NRW outlining what measures have been put in place to ensure compliance with condition 4.3.	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 the review of annual emissions monitoring as specified by permit condition 3.5.1 (b) Table S3.2 (landfill gas engines and flare). The annual monitoring emissions data was sent to NRW on 31/01/25.

Annual air emissions monitoring

Annual air emissions monitoring was completed on 19/11/24 for the flare, Engine 1 and Engine 3 by an MCERTS accredited third-party test house.

Flare

The flare recorded the following test results:

Total Volatile Organic Compounds (VOCs)- 0.76mg/m³ vs a permitted Emission Limit Value (ELV) of 10mg/m³.

Nitrogen Oxides (NO_x)-92.7mg/m³ Vs an ELV of 150mg/m³

Carbon Monoxide (CO)-4.7mg/m³ Vs an ELV of 50mg/m³.

Results were compliant.

Engine 1

Engine 1 recorded the following test results:

VOCs- 806mg/m³ vs a permitted ELV of 1000mg/m³.

CO- 955mg/m³ vs a permitted ELV of 1400mg/m³

NO- 641mg/m³ vs a permitted ELV of 500mg/m³.

Although the monitoring result for NO is above the permitted ELV, once the landfill gas

tolerance figures from LFTGN08 are applied (NO-30%, CO 20% and VOCS 40%) they are within the permitted ELV and therefore compliant.

When the landfill gas tolerance figures from LFTGN08 are applied (NO-30%, CO- 20% and VOCS- 40%), this gives the following results for Engine 1:

VOCs- 484 mg/m³ vs a permitted ELV of 1000mg/m³.

CO- 764mg/m³ vs a permitted ELV of 1400mg/m³

NO- 449mg/m³ vs a permitted ELV of 500mg/m³.

Engine 3

Engine 3 recorded the following test results:

VOCs- 2115 mg/m³ vs a permitted ELV of 1000mg/m³.

CO-1233 mg/m³ vs a permitted ELV of 1400mg/m³

NO- 601 mg/m³ vs a permitted ELV of 500mg/m³.

When the landfill gas tolerance figures from LFTGN08 are applied (NO-30%, CO- 20% and VOCS- 40%), this gives the following results:

VOCs- 1269 mg/m³ vs a permitted ELV of 1000mg/m³.

CO- 987 mg/m³ vs a permitted ELV of 1400mg/m³

NO- 420.7 mg/m³ vs a permitted ELV of 500mg/m³

Engine 3 breached the ELV for VOCs, even when the landfill gas tolerance figures from LFTGN08 were applied. NRW considers this a breach of permit condition 3.1.2 and a non-compliance score has been applied (IR3A(2)-Emissions to air-C3).

It should be noted that Engine 3 has been decommissioned and removed from site. Landfill gas is currently being managed by Engine 1 and the flare.

Action 1: Source LFG engine to replace Engine 3.

The operator did not provide NRW with a schedule 5 notification in relation to the permit breach above. NRW considers this a breach of permit condition 4.3.1 (b) which states:

'in the event of a breach of any permit condition the operator must immediately-

(1) inform Natural Resources Wales, and

(2) take the measures necessary to ensure that compliance is restored within the shortest

possible time

Action 2- Operator to review management system procedures related to submission of schedule 5 notifications to NRW in line with permit condition 4.3. Provide a written update to NRW outlining what measures have been put in place to ensure compliance with condition 4.3.

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.