

Compliance Assessment Report

Report ID:
CAR_NRW0036010

This form will report compliance with your permit as determined by an NRW officer

Site	Trecatti Landfill		Permit Ref	RP3733PC	
Operator/Permit holder	Biffa Waste Services Ltd				
Regime	Installations				
Date of assessment	22/10/2019	Time in	10:00	Out	14:00
Assessment type	Audit				
Parts of the permit assessed	1.1, 2.5				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Simon Milford/ Site Manager	Date issued	02/12/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
--	--------------	-----------------------

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
------------------------------------	----------	---	----------

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Biffa Trecatti permit RP3733PC

The purpose of this CAR form is to record the findings of the site visit held on 22nd October 2019 as well as subsequent actions taken by NRW regarding the site.

The site visit was twofold. One reason was that it formed one part of ongoing public liaison meeting with local residents. The second reason was to take Nicholas Rogers from NRW Geosciences to site to view the areas of concern from the review of the site CQA plan for the sidewall.

1. Evaluation of the CQA Plan 2019 for Sidewall Construction. Document Reference: BF4997/01 Rev 0 June 2019.

- We had concerns over the omission of geogrid reinforcement of the support layer under the basal layer constructed in the 'bench' area of the sidewall. The geogrids were included in the CQA Plan, Specification and Drawings. The purpose of the geogrids is to provide additional support against the risks of mining voids and the historic 'Merthyr Landfill Waste' below the base liner. We evaluated the possibility that their omission could be considered a breach of permit conditions. However, the permit states at 2.5.3 that any new cell has to conform to the agreed CQA plan unless '*any change to the approved construction proposals would have no impact on the performance of any element of the design*'.

Subsequently, we engaged with site to clarify the position and have evaluated whether the design has been compromised to the level that its performance has been impacted by the omission of the geo-grids. The process has now reached a position where we can move forward.

The decision by NRW is that on the grounds of risk, the omission of the geogrids in the constructed 'bench' area is acceptable based on the sites risk assessment of underlying mining voids, as well as the re-analysis of the liner stability for the ground model of this specific area. The conservative values for the Merthyr Landfill Waste from the Original SRA were used. However, because the results of the analysis are specific to the constructed area, **we would expect the remainder of the sidewall construction to conform to the CQA Plan.** The revised CQA Plan needs to incorporate the comments from Wood's review of the Plan and Specification.

Site Action - *The CQA plan, Specification and Drawings should be revised and re-submitted for the as-built construction and include the full stability analysis results.*

Note - The analysis above is only applicable to the levelled 'bench' area and would not apply to the remaining liner works to the steeper boundary sidewall against the Merthyr Landfill as the geogrid strengthening would provide the necessary lateral stability outlined in the SRA 2004.

2. Results of site overview on 22nd October

The site was seen to be operating as normal. No off-site odour was observed. Bird activity was minimal. At the time a bird-scarer was seen to be operating on site. There were no observed vermin or insect activities. Security was good as the site operates one open gate only. Site fences were intact. No windblown waste was observed on site. The access road leading up to the site gate was also clear.

3. Odour Complaints made against the site 18th & 19th Nov.

NRW received 5 complaints of odour against the site between Nov 18th and 19th. Complainants described it as between sulphur and rotten waste.

- 18th Nov 17.05 hrs
- 18th Nov 17.30 hrs
- 18th Nov 21.20 hrs
- 18th Nov 22.20 hrs
- 19th Nov 09.00 hrs

NRW asked the site to investigate their systems. Site reported back that all systems were checked and were working as normal. The gas system was fully operational, the perimeter odour control was fully operational, waste was not being received, olfactory monitoring was carried out on 19th Nov at 09.30 hrs and 10 am. The complainants were contacted as far as possible to ascertain more information as to the source and type of odour, but this was only possible in one case. The complaints were made via social media and the complainants did not wish to be contacted. NRW sent an Officer to investigate on 19th Nov who reported back that there was no noticeable odour in the community.

The 5 complaints were closed as being unsubstantiated. However, RT met the Biffa site Manager in Dowlais High St on 21st Nov to tour the local area as a further precaution. No odour was identified at this time.

NOTE – The Dowlais area was undergoing road works at the time to reprofile the lay out of the drain system. There is a known site in the locality which is known to be a source of odours in the community. NRW has been working with this site as well as Welsh water to reprofile the drains and reduce odour complaints in the area. It is thought that any odour complaints arising from this area would be attributed to this site and not Trecatti. By policy, any complaint against the site has to be investigated by NRW and recorded by the site even though it is highly likely in these cases that this site was not the cause.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036010**

This form will report compliance with your permit as determined by an NRW officer

Site	Trecatti Landfill	Permit Ref	RP3733PC
Operator/Permit holder	Biffa Waste Services Ltd	Date	22/10/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.