

## Compliance Assessment Report

Report ID:  
CAR\_NRW0036373

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

|                              |                                                                                                                                      |             |            |     |     |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|-------------|------------|-----|-----|
| Site                         | Brookhill Landfill Site EPR/AP3739KS                                                                                                 | Permit Ref  | AP3739KS   |     |     |
| Operator/Permit holder       | Flintshire County Council                                                                                                            |             |            |     |     |
| Regime                       | Installations                                                                                                                        |             |            |     |     |
| Date of assessment           | 20/02/2020                                                                                                                           | Time in     | N/A        | Out | N/A |
| Assessment type              | Report/Data Review                                                                                                                   |             |            |     |     |
| Parts of the permit assessed | Construction Quality Assurance Plan and Design Specification: Installation of Leachate Extraction / Monitoring Wells, December 2019. |             |            |     |     |
| Lead officer's name          | Oakes, Ian                                                                                                                           |             |            |     |     |
| Accompanied by               |                                                                                                                                      |             |            |     |     |
| Recipient's name/position    | Paul Murphy/ Site Manager                                                                                                            | Date issued | 20/02/2020 |     |     |

### 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<br>(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

### Review of Construction Quality Assurance Plan and Design Specification: Installation of Leachate Extraction/Monitoring Wells, December 2019.

We have reviewed the 'Construction Quality Assurance Plan and Design Specification: Installation of Leachate Extraction/Monitoring Wells' for Brookhill Landfill Site. The document submitted on behalf of the operator includes the CQA procedures to be adopted during the works together with drawings showing the re-drill location and construction details.

The proposals contained within the document comprises the provision of two new leachate extraction wells, one in Cell 1 and the other in Cell 6. The requirement for the new wells was identified in an audit of well depths and leachate compliance levels: this identified that the existing wells in Cells 2 to 5 are sufficiently deep to maintain compliant leachate levels though those in Cells 1 and 6 are not. This implies that since the construction of the existing wells in Cells 1 and 6 either the base has collapsed or has become blocked with debris. Whatever the cause, the fact that the existing wells are no longer sufficiently deep to maintain leachate at an acceptably low level demonstrates the need for the two proposed wells.

Retro-fitting the wells will require drilling through the waste before a steel riser is placed within a gravel pack and sealed into position. Ordinarily, it would be expected that the wells are drilled directly over a target pad (constructed directly onto the lining system) such that in the event of a drill depth miscalculation the pad would prevent drilling through the liner. In this case, target pads were not provided during landfill construction, so the wells have to be drilled toward an unprotected liner. This presents a greater risk than retro-drilling does normally, as its success will be governed by the accuracy of the construction records, current surveys and the adoption of careful zoned drilling.

The appointed survey company for the retro-drilling work is StaffSurv, a company specialising in landfill survey. The submitted documents includes current surveys prepared by StaffSurv along with a plan (also prepared by StaffSurv) of the basal liner beneath the whole site. Accordingly, I am confident that the survey work and drawings will be carried out to the same coordinate system and datum and that the survey control set around the site will be consistent. This provides confidence that the position and level data will be reliable and accurate.

The retro-drilling will be carried out at locations selected to provide functional leachate extraction from the waste directly above basal liner. The drawing attached to the CQA Plan shows the location of the drill holes and a table provides a schedule of the drill depth, the current ground levels and the basal liner level. The table also reveals that the drill depth will terminate at a target level of 0.3m above the basal liner, at or very close to the top of the leachate drainage blanket.

The Plan proposes that the holes will be drilled to a position 0.3m above the liner to avoid the possibility of puncturing the liner. The approach to surveying provides a high degree of confidence that this will be executed correctly. However, the Appendix to the Plan provides details of the drill zoning, with progressively reducing drill increments as the target level is approached. This method of drilling offers the opportunity to identify leachate drainage gravel within the drill arisings before the liner is pierced. Given the lack of target pad but the need to provide better leachate extraction this method along with the survey data provides the best chance of achieving the desired well depths with an acceptably low risk to the liner.

We note that an emergency procedure is also included should the liner be struck. The emergency plan appears to be a suitable means to mitigate the very small risk of liner puncture and should provide an effective seal in the event of liner damage. The scope of the CQA Plan and the CQA procedures in the document are suitable for the proposed works and will ensure a high degree of planning, supervision and record keeping, in line with best practice. We are therefore satisfied that the document can be approved, and the works can commence as described.



## EPR Compliance Assessment Report

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CAR\_NRW0036373**

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|                        |                                         |            |            |
|------------------------|-----------------------------------------|------------|------------|
| Site                   | Brookhill Landfill Site<br>EPR/AP3739KS | Permit Ref | AP3739KS   |
| Operator/Permit holder | Flintshire County Council               | Date       | 20/02/2020 |

### 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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### 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](mailto: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.