

Compliance Assessment Report

Report ID:
CAR_NRW0036374

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

Site	Hafod Quarry Landfill Site	Permit Ref	PP3139GB		
Operator/Permit holder	Enovert North Limited				
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	Review of Cell 4 Western Upper Sidewall CQA Validation Report				
Lead officer's name	Oakes, Ian				
Accompanied by					
Recipient's name/position	Ian Craven/ Area Manager	Date issued	03/03/2020		

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
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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
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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 Cell 4 Western Upper Sidewall Extension CQA Validation Report dated November 2019

We have examined the Hafod Landfill Cell 4 Western Upper Sidewall CQA Validation Report submitted to NRW by Enovert, the site operator. The document has been prepared by CQA International Ltd, the appointed independent CQA consultants for the construction of the basal lining system. The CQA requirements were set out previously in the Hafod Landfill Cell 4 Western Upper Sidewall CQA Plan approved by NRW.

The assessment has comprised an examination of both the CQA Plan and the CQA Validation Report to ensure that the agreed requirements have been met. This has required a check on the scope of the CQA inspections, the type and frequency of conformance testing and a check of the compliance of the construction activities with the agreed Plan.

The CQA Validation Report is one in a very long series of Validation reports received from this site. The landfill is large and deep and has been developed in a series of Cells progressing from the south toward the north; each Cell has been constructed in a number of phases, with the phases extending up and along the sidewalls of the site. The construction methods and the materials from which this liner is constructed are the same as on previous Cells and Phases and accordingly, the report follows a similar format and contains similar information to previous validation reports.

The base of Cell 4 was engineered in 2015 under the supervision of Stratus, a phase of works that provided the lining system over the floor of the cell and part of the way up the eastern, northern and western side-slopes. The earthworks required to establish approximate formation was extended to the top rim of the landfill side-slopes in both the west and the east. This phase of works therefore comprises the construction of the lining system over an already roughly cut formation. This phase of works lies immediately to the north of the existing side-slope liner (and ties into it) and immediately upslope of the Cell 4 lower side-slope liner.

The western upper sidewall has experienced issues with the seepage of groundwater through the prepared formation in the past and accordingly the lining system is underlain by a groundwater collection system. This comprises a geocomposite drainage layer laid onto the formation and connected to a series of gravity drains that transmit any captured groundwater to a groundwater collection and pumping system. The system is supplemented where required with counterfort drains excavated into the formation to drain any active seepages. It was determined during these works that supplementary counterfort drains were not required as localised seepages were not evident.

The uppermost part of these works lies upslope of the groundwater drainage pipework that discharges northward to a surface water pond. Accordingly, this pipework was extended beneath the liner using a French drain arrangement such that water flowing downslope in the underdrainage geocomposite can drain into the pipe for gravity discharge. However, the lower part of the geocomposite lies downslope of the groundwater drain, and in the absence of a groundwater drainage layer beneath the Cell 4 Lower Side-slope Liner an alternative design was constructed. This detail required further investigation.

Having noted that the CQA Validation Report stated that excavation works exposed the adjacent geocomposite drainage layer but was unable to locate the geocomposite drainage layer downslope of the current works we asked Enovert to provide further clarification. Our principal concern was not the underdrainage detail that was adopted but the possibility that the downslope liner had not been constructed to the level of the current works (ie there was a gap). Enovert were able to confirm that the liner downslope was excavated but that no underdrainage could be located. We asked for a drawing to be compiled showing the current works and surrounding works so that we could be reassured that the liner would be continuous and unbroken. StaffSurv subsequently provided a drawing.

The absence of a lower sidewall geocomposite seemed to puzzle the CQA staff during construction as well as

Enovert, as the report describes attempting to excavate progressively downslope. With reference to CQA Validation for the Cell 4 Lower Sidewall construction (prepared by Stratus, a different CQA Consultant). The report indicates that the lower western slope was not provided with underdrainage as it is founded directly onto Ruabon Marl (an impermeable naturally occurring Geological Barrier), though the eastern slope does not benefit from this and accordingly has a lower slope drainage layer. This being the case, the drainage arrangements made during this Phase of works seem to be a practical means to address the removal of water from the geocomposite that has a lower elevation than the groundwater drain.

The lower slope drainage has also been constructed using a French drain arrangement to collect groundwater from the geocomposite, discharging it northward into the existing surface water pond.

The geocomposite used in the works is that approved previously, though with a slightly amended verification testing regime. The testing has been carried out with a hydraulic gradient of 0.2, less than the Specification of 1.0. This is a conservative change and would result in the flow capacity being reported as lower than that tested with the approved Specification. The geocomposite meets the requirements for flow capacity even with the lower hydraulic gradient and therefore we are satisfied that the geocomposite has the desired flow capability.

The mineral liner placed over the geocomposite is formed from the same site-won stock as has been used throughout previous phases. The mineral liner tests are sufficient in number and all meet the specification requirements, with the exception of one test. This was found to be anomalous due to an inclusion of an old tile. It was removed from the dataset (though still reported in the Validation Report) and repeated. The dataset is therefore compliant despite this anomaly.

We have examined both the CQA Validation Report and the CQA Plan to confirm that the CQA monitoring works have been carried out as required. We can confirm that in this respect the CQA Validation works have been carried out correctly, and that the correct parameters have been measured during construction at the correct frequency. The data provided by the independent CQA Consultant verifies that the Specification has been met and we therefore accept the document.

EPR Compliance Assessment Report

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Site	Hafod Quarry Landfill Site	Permit Ref	PP3139GB
Operator/Permit holder	Enovert North Limited	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. 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.