

## Compliance Assessment Report

Report ID:  
CAR\_NRW0036489

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

|                              |                                    |             |            |     |     |
|------------------------------|------------------------------------|-------------|------------|-----|-----|
| Site                         | Rhuddlan Bach Quarry Landfill Site | Permit Ref  | FP3590LV   |     |     |
| Operator/Permit holder       | Clive Hurt ( Plant Hire ) Ltd      |             |            |     |     |
| Regime                       | Waste Operations                   |             |            |     |     |
| Date of assessment           | 26/03/2020                         | Time in     | N/A        | Out | N/A |
| Assessment type              | Site Inspection                    |             |            |     |     |
| Parts of the permit assessed | Condition 2.4.1                    |             |            |     |     |
| Lead officer's name          | Harper, Philip                     |             |            |     |     |
| Accompanied by               |                                    |             |            |     |     |
| Recipient's name/position    | Richard Hurt/ Director             | Date issued | 06/05/2020 |     |     |

### 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 |
|----------------------------------------------------------------------|--------------|-----------------------|
| C2 - General Management - Management system and operating procedures | X            |                       |

**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

With reference to the improvement schedule detailed in permit condition 2.4.1, Table S1.3.

### Hydrogeological Risk Assessment

NRW received a Hydrogeological risk Assessment on the 18<sup>th</sup> February 2019. The submitted document has been reviewed and at present we can not accept the HRA as additional information is required on specific issues.

We require that you address the following:

1. Groundwater level data stops in May 2018, therefore missing the last 18 months – please update the groundwater level hydrographs to February 2019 bringing it line with the other data in the report.
2. The concentration of iron with the groundwater shows a rising trend across the site following a noticeable step up in 2014 – please give further details and justify the increase in iron.
3. For manganese the proposal is to increase the compliance limits in BH3 from 0.05 mg/l to 5 mg/l – this is a large increase, please give more details and reason for the increase.
4. The proposal to increase the compliance limit for sulphate in BH3 from 250 to 400 mg/l is noted, but there is a rising trending in BH1 (up gradient) and BH4 (which is down gradient of the quarry sump) – more details on these rising trends is required.
5. During 2017 there is a noticeable spike in concentration of all parameters listed in the report – this is observed in each of the graphs and is evident in both groundwater and surface monitoring locations. No details or explanation have been included within the HRA on the reason why this occurred.
6. Surface water sulphate graph is missing a legend – please include a legend as this add clarity and validity to the graph.

### General comments

- a. Groundwater Regulations 2009 no longer exist. The content of the GW Regs is within the Environmental Permitting Regulation 2018 under Schedule 22.
- b. We note that the conceptual model has been presented within Hydrogeological Impact Appraisal (HIA) for the planning application for the quarrying. However, a Hydrogeological Risk Assessment

- should be a standalone document and consider the landfilling operation on the wider environment.
- c. NRW confirm that there are no water resources abstraction licences for groundwater within 1km radius of the site as the island of Anglesey was previously under a geographical exemption area – this exemption has now been removed and any abstraction over 20 m<sup>3</sup>/day should now apply for an abstraction licence. The dewatering of the quarry or abstraction from the sump will need a transfer licence if over 20 m<sup>3</sup>/day. Please contact the Water Resources Permitting team for more details on licence requirements.
  - d. Private Water Supplies (PWS) – there are likely to be PWS in the local area – if nothing is gained from Isle of Anglesey County Borough Council then we suggest a door knocking survey to find the closest private water supplies and to assess the risk to the PWS from the landfill.
  - e. The landfill is located close to the following designations a Special Site of Scientific Interest (SSSI) for Cors Goch and Cors Erddreiniog, a Special Area of Conservation for Corsydd Mon (Anglesey Fen) and a RAMSAR Corsydd Mon a Llyn (Anglesey and Llyn Fens). This should be acknowledged within the HRA and the assessment should consider these designations.

Please note following acceptance of the HRA any proposed changes to compliance limits will need to be varied within the permit. Therefore, a permit variation application will be required to accept the proposed compliance limits.

**Action:** Provide an amended HRA and the above required information by the 30<sup>th</sup> September 2020

### **Further Outstanding Documents from 2.4.1 Schedule 3**

Making reference to table S1.3 within the permit. The following points of the improvement schedule have not been fulfilled.

-6 “The Operator shall submit an updated closure and aftercare plan”.

**Action:** Update NRW on the progress of these documents by 30<sup>th</sup> April 2020.

Kind Regards

**Phil Harper**

**Industry and Waste Regulation Officer NW**

**03000 65 3717**

**philip.harper@cyfoethnaturiolcymru.gov.uk**

*Please note any reference within the CAR/ permit to the Environment Agency means Natural Resources Wales.*

*In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.*

## EPR Compliance Assessment Report

**Report ID:  
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|                        |                                    |            |            |
|------------------------|------------------------------------|------------|------------|
| Site                   | Rhuddlan Bach Quarry Landfill Site | Permit Ref | FP3590LV   |
| Operator/Permit holder | Clive Hurt ( Plant Hire ) Ltd      | Date       | 26/03/2020 |

### 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 |              |                                                                                                                |            |
| C2                  | X            | Make ammendments and provide answers to HRA comments.<br>Update NRW on progress of Closure and aftercare plan. | 30/09/2020 |

## 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.