

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	14/04/2020	Time in	09:00	Out	17:00
Assessment type	Unknown				
Parts of the permit assessed	See Below				
Lead officer's name	Harper, Philip				
Accompanied by					
Recipient's name/position	Richard Hurt/ Operator	Date issued	20/04/2020		

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
E1 - Emissions - Air	C3	3.1.3
E2 - Emissions - Land and groundwater	X	
E3 - Emissions - Surface water	X	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

G1 Monitoring of Emissions and Environment/G4 Reporting and notification to Natural Resources Wales

Natural Resources Wales received an annual monitoring report for Rhuddlan Bach Quarry as per permit condition 4.2.2 (a).

E1 Air

Borehole 2: the carbon dioxide was in exceedance of the 1.5 % v/v limit throughout 2019 with values ranging from 1.8 % v/v to 4.2 % v/v.

Borehole 3B: the carbon dioxide limit exceeded the specified limit of 1.5 % on three occasions with a value of 4.3 % v/v and 3.2 % v/v in February 2019 and June 2019 respectively. A large spike on carbon dioxide was observed from October 2019 to January 2020 with concentration levels peaking at 6.9 % v/v.

Borehole 4: Other than the months March to May the carbon dioxide limit of 1.5 % v/v/ was exceed throughout the year with a high of 5.2 % v/v.

This is a **category 3 permit breach** with respect to condition **3.1.3**. "The limits for landfill gas arising from the facility set out in schedule 3, table S3.3 shall not be exceeded".

Action: Please provide a scientific explanation to why the level of carbon dioxide in these boreholes has consistently exceeded the limit by **31st August 2020**.

E2 Land and Groundwater

Iron

Iron concentrations exceeded the compliance limit of 1.00 mg/l in the following boreholes.

BH1B: at 1.23 mg/l

BH2: at 1.1 mg/l

BH3B: at 1.31 mg/l

BH5: 1 at 1.01 mg/l

Manganese

Manganese concentrations exceeded the compliance limit of 1000 µg/l or 1 mg/l in borehole **BH3B** in April with a concentration of 3.149 mg/l and in August with a concentration of 3.405 mg/l.

Cadmium

Cadmium concentrations exceeded the compliance limit of 0.1 µg/l in borehole **BH3B** in September with a concentration of 0.11 µg/l.

Sulphate

Sulphate concentrations exceeded the compliance limit of 250 mg/l in the following boreholes.

BH1B: the concentration of sulphate exceeded the compliance limit in May 2019 until October 2019 peaking at 273 mg/l.

BH3B: the concentration of sulphate exceeded the compliance limit throughout the study period peaking at 362 mg/l.

Mineral Oil (TPH)

Mineral Oil (TPH) concentrations exceeded the compliance of 0.01 mg/l throughout the review period with maximum concentrations in each borehole shown below.

BH1B: 0.067 mg/l

BH2: 0.040 mg/l

BH3B: 0.026 mg/l

BH4: 0.021 mg/l

BH5: 0.030 mg/l

BH6: 0.043 mg/l

These exceedances are a **category 3 permit breach** with respect to Schedule **3.2** within the permit.

Action: Please provide a scientific explanation to why the trigger levels in these boreholes have been breached by **31st August 2020**.

E3 Surface Water

Mineral Oil (TPH)

Mineral Oil (TPH) concentrations exceeded the compliance of 0.01 mg/l on eight occasions during the review period with a maximum concentration of 0.077 mg/l being recorded in May 2019.

These exceedances are a **category 3 permit breach** with respect to permit condition **3.1.2**. “The limits for surface water quality specified in schedule 3, table S3.5 shall not be exceeded”.

Action: Please provide a scientific explanation to why the trigger levels in surface water has been breached by **31st August 2020**.

All category 3 scores have been consolidated to give a single category 3 score for emissions.

In future annual reports please ensure that the information within the report links to the information within the site permit.

For example, please ensure that the correct trigger levels are cited for example iron quoted in point 3.3.2.

Kind Regards

Phil Harper

Industry and Waste Regulation Officer NW

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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:
CAR_NRW0036542**

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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			
E1	C3	Continue monitoring, investigate any trends.	31/08/2020
E2	X	Continue Monitoring, investigate any trends.	31/08/2020
E3	X	Continue monitoring, investigate any trends.	31/08/2020

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. 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.