

Compliance Assessment Report CAR_NRW0036888

Permit being assessed: PP3139GB.

For: Hafod Quarry Landfill Site, held by Enovert North Limited

At: Hafod Quarry Landfill Bangor Road, Johnstown, Wrexham, LL14 6ET.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 28/08/2020.

Parts of permit assessed: Q1 January - March 2020 Monitoring returns and Schedule 5 Notifications

NRW Lead Officer: Ian Oakes.

Report sent to: Dave Leonard, Site Manager on 01/09/2020.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	C3 Minor	2.7.1
E1 - Emissions - Air	C3 Minor	3.1.7
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor (Suspended)	3.5.1

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
3	8

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
B1	Provide a copy of the leachate monitoring wells camera survey as per CAR_NRW0036270.	30/09/2020
E1	Site to continue to monitor closely, develop proposals and summarise performance in the annual report.	31/12/2020
G1	Resume monitoring in line with Covid 19 restrictions.	31/12/2020

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Q1 January - March 2020 Monitoring returns and Schedule 5 Notifications.

1. Breach of Permit condition 2.7.1 The limit for the level of leachate listed in Schedule 3, Table S3.1 shall not be exceeded.

CCS3 - Q1 leachate level exceedances with reference to Schedule 5 Notifications HAF 255, 257, 261 at 2.0 - 10.7 m versus 2 m limit.

During January a camera survey was conducted of all the monitoring points on site to compare manually taken dips with transducer readings.

Action: Provide a copy of the leachate monitoring wells' camera survey as per CAR_NRW0036270.

In January pumps were replaced in LC4, LMP4a and LMP4b and overall 3069 m³ of leachate was removed due to high rainfall.

In February LMP2a was re - drilled (a level of 27 m was recorded in March awaiting pump installation) and overall 3720 m³ of leachate was removed a 20% increase on January.

The leachate bund drain along the flank of Cell 4 kept the leachate storage tanks full, despite removing 8 tankers a day. To prevent loss from the engineered cell, the decision was taken to in early February to concentrate all extraction from the bund drain and turn the pumps off in LC3 and LC4 resulting in significant recharge. During March the pumps were switched back on and the levels decreased steadily to <6.2 m.

2. Breach of Permit condition 3.1.7 The limits for landfill gas set out in Schedule 3, Table 3.6 shall not be exceeded.

CCS3 - Q1 perimeter gas well exceedances with reference to Schedule 5 Notifications HAF 254, 256, 258 with methane levels in GB03, 4b, 6a, 7a, 7b, 12 ranging between 5.1 - 58.5% versus 1 m limit.

Historically, these perimeter boreholes have demonstrated elevated methane levels and indicate some migration (wells not under pressure) and subject to the Landfill Gas Management Plan.

Action: Site to continue to monitor closely, develop proposals and summarise performance in the annual report.

3. Breach of Permit condition 3.5 Monitoring and Covid 19 restrictions.

3.1 Permit condition 3.5.1 The operator shall, unless agreed in writing by Natural Resources Wales undertake the monitoring and any other actions specified in the following tables in Schedule 3 to this permit:

- a). Leachate specified in tables S3.1 and S3.9;
- b). Point source emissions specified in tables S3.2, S3.3 and S3.4;
- c). Groundwater specified in S3.5 and S3.11;
- d). Landfill gas specified in tables S3.6, S3.7 and S3.8;
- e). Surface water specified in table S3.10; and
- f). Particle matter specified in table S3.12.

3.2 Hafod non - compliance Schedule 5 Notification HAF 259 Covid 19 missed monitoring March 2020, reproduced here:

'As previously advised, the Government restrictions due to the global pandemic, and Enovert's contingency plan, have resulted in the Technician being unable to travel to Hafod to carry out monitoring. In March the following monitoring was missed:

- Surface water sampling, all points, monthly suite
- Groundwater sampling BH HA 2A(M), 2A(T), 2B(B), 11A(B), 11B(M), 12A(M), quarterly suite
- Perimeter gas readings BA HA 1A(T), 1B(B), 1B(M), 10(B), 10(T), 10(M), 11A(B), 11B(M), 11B(T), 12A(M), 12A(T), 12C(B).

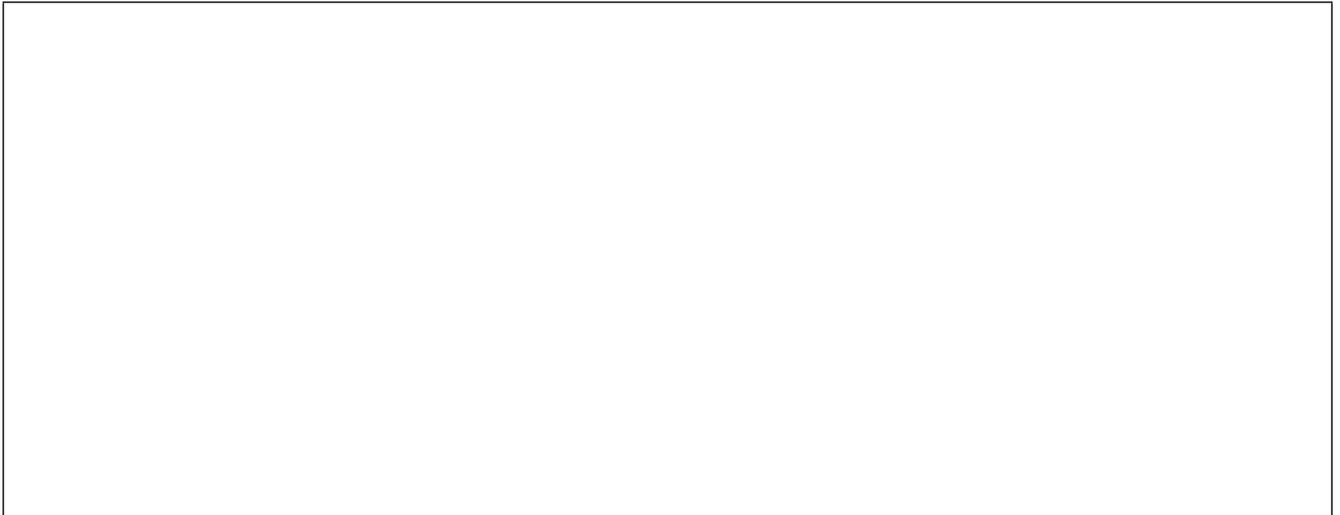
Staff are continuing with daily site checks, and there is considered to be negligible risk to the environment due to missing the above monitoring.'

3.3 Natural Resources Wales' position was discussed / provided to Hafod as follows: 'We recognise that protecting public health is a priority in the Covid 19 pandemic, which may have an impact on resourcing and your ability to maintain compliance with your monitoring / reporting conditions within your permit / licence. We expect you to take a risk based approach to maintaining compliance. We will take a proportionate response to any non - compliances notified to us, that is directly linked to issues caused by the Covid 19 pandemic.

We will record the breach as non - compliant, and issue you a Compliance Assessment Report, however we will consider suspending the score immediately to take account of these extenuating circumstances.'

3.4 The breach of Permit condition 3.5 Monitoring for March 2020 for surface / groundwater perimeter gas (and some leachate levels) is considered consistent with NRW's position on Covid 19 and will be scored CCS3 and suspended.

Action: Resume monitoring in line with Covid 19 restrictions.



If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.