

## Compliance Assessment Report CAR\_NRW0036934

**Permit being assessed:** BU0800IZ.

For: Llanddulas Landfill EPR/BU0800IZ, held by 3C Waste Limited

At: LLANDDULAS QUARRY ABERGELE ROAD , LLANDDULAS, ABERGELE, ABERGELE, LL22 8HP.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 09/09/2020 between 10:30 and 12:30.

Parts of permit assessed: Various

**NRW Lead Officer:** Rebecca Harwood, accompanied by Anthony Roberts.

**Report sent to:** Chris Bennion, Site Business Manager on 21/09/2020.

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

| Part of permitted activity assessed (criteria)                                                                 | Assessment result | Permit condition |
|----------------------------------------------------------------------------------------------------------------|-------------------|------------------|
| E1 - Emissions - Air                                                                                           | C3 Minor          | 3.3.5            |
| E2 - Emissions - Land and groundwater                                                                          | Assessed (A)      |                  |
| E3 - Emissions - Surface water                                                                                 | Assessed (A)      |                  |
| G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment               | Assessed (A)      |                  |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | Assessed (A)      |                  |

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

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 1                                        | 4                          |

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 |
|----------|------------------------------------------------------|-------------|
| E1       | Infinis to investigate and rectify cause of emission | 30/09/2020  |

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

This Compliance Assessment Report follows a routine site inspection on 09 September 2020, following an increase in the number of odour complaints from residents, and the submission of the quarterly environmental monitoring data.

### **Site Inspection 09/09/2020**

The landfill was operational with limited volumes of waste deposited at the time of the visit. There was a light north westerly wind.

Odour was detected at the junction of the haul road to the compost pad. An odour strength of 6 out of 10 was recorded, with ambient concentrations of 63ppm recorded 1 metre off the ground. Concentrations of 14ppm were detected along a 30 metre stretch of the haul road towards the tipping face. A recording of 7200ppm was detected around the base of gas well D322 and there appeared to be no apparent flow at the well. ***This has been scored a CCS Category 3 breach of Permit.***

***Action: Infinis to investigate and rectify cause of emission***

***NRW to undertake a follow up audit of the gas system.***

An offsite odour inspection was undertaken, and no odour was detected along the route.

### **Quarterly Environmental Monitoring Report (April – June 2020)**

The quarterly monitoring for April to June 2020 was submitted on 29<sup>th</sup> July 2020 in accordance with Condition 4.2.2. A few queries were raised regarding the data and subsequent clarification was provided.

Monitoring was undertaken in accordance with Condition 3.6 and Schedule 4.

*Perimeter Landfill Gas monitoring:*

During the reporting period there were no readings in excess of the compliance level for methane.

*Groundwater levels and quality:*

During the reporting period there were no readings in excess of the permitted limits for

groundwater quality.

*Surface Water discharge quality:*

During the reporting period there were no readings in excess of the permitted limits for surface water quality.

COD analysis was missing for the Afon Dulas upstream and downstream sampling points, this was due to a laboratory error. This has been rectified and it has been confirmed that COD analysis has been undertaken as part of the Quarter 3 sampling regime.

*Leachate levels and quality:*

There were no breaches of permitted leachate levels during this review period.

Leachate Wells LLALMP03 and LLAMP3/1 both recorded a negative depth.

**Action: Leachate wells to be resurveyed and levels resubmitted.**

Leachate analysis was undertaken in April 2020.

*In waste gas quality:*

485 gas well readings were taken. Oxygen concentrations in excess of 5% were recorded on 71 occasions, and total carbon dioxide and methane concentrations of less than 80% were recorded on 263 occasions – valves were adjusted to aid odour control and gas migration.

There were no readings of carbon monoxide in excess of 100 ppm.

*Ambient Air Monitoring:*

Concentrations above 1000 ppm were noted, but at no location were there 3 consecutive breaches.

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](mailto: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](mailto: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.