

Compliance Assessment Report NRW0037067

Permit number	BT1908IX	Operator name	JLA Disposal Limited
----------------------	----------	----------------------	----------------------

Site name	Palleg Landfill Phase II
Site address	Palleg Road, Lower Cwmtwrch, Swansea, SA9 2QQ
Assessment type	Off-site Odour Survey / Limited assessment of on-site ' <i>Appropriate Measures</i> '

Date of assessment	22 September 2020	Time in	1030	Time out	1230
---------------------------	-------------------	----------------	------	-----------------	------

Parts of permit assessed	Condition 3.4.1
---------------------------------	-----------------

NRW Lead officer	Guy Baskerville	Accompanied by	Douglas Cowie
Report sent to – Name and position	John Adams Director	Date	22 September 2020

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
F1 Amenity – Odour	Assessed or assessed in part (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

2. What action is required?

Criteria	Action needed	Complete by
N/A	N/A	N/A

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 prosecutions and/or suspension or revocation of your permit.

No non-compliance identified.

4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record the findings of an off-site odour survey undertaken locally to Palleg Landfill Phase II and an assessment of on-site measures to prevent or minimise odours.

Condition 3.4.1 of the environmental permit states:

Emissions from the activities shall be free from odour at levels likely to cause annoyance outside the site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures to prevent or where that is not practicable to minimise odour.

On 11 September 2020 the South West Industry Regulation Team were advised by the Mid-Wales Waste Regulation Team of their receipt of a complaint (WIRS ref. 2006567) on 09 September 2020 in relation to malodour alleged to be caused by Palleg Landfill Phase II.

We were further advised that our Mid-Wales Waste Regulation colleagues had been contacted by Powys County Council Environmental Health Officers who reported receiving multiple malodour complaints during the preceding 7 days.

The South West Industry Regulation Team received a further 2 malodour complaints on 14 September 2020 (WIRS ref. 2006686) and 16 September (WIRS ref. 2006751), with each alleging that Palleg Landfill Phase II was the cause.

The malodour complaints were general in nature, reporting that malodours had been present frequently but irregularly in recent weeks.

On 22 September 2020 I undertook an odour survey locally to Palleg landfill phase II at locations across Ystradgynlais and Cwmtwrch. A number of these locations were in areas where malodours had been observed and reported to Powys County Council Environmental Health Officers.

At the time of the survey the weather was dry and cloudy with very light wind. The Palleg Landfill Phase II weather station was not working on the day of the survey, but nearby weather station data suggests that average wind direction was from the east or east-south-east.

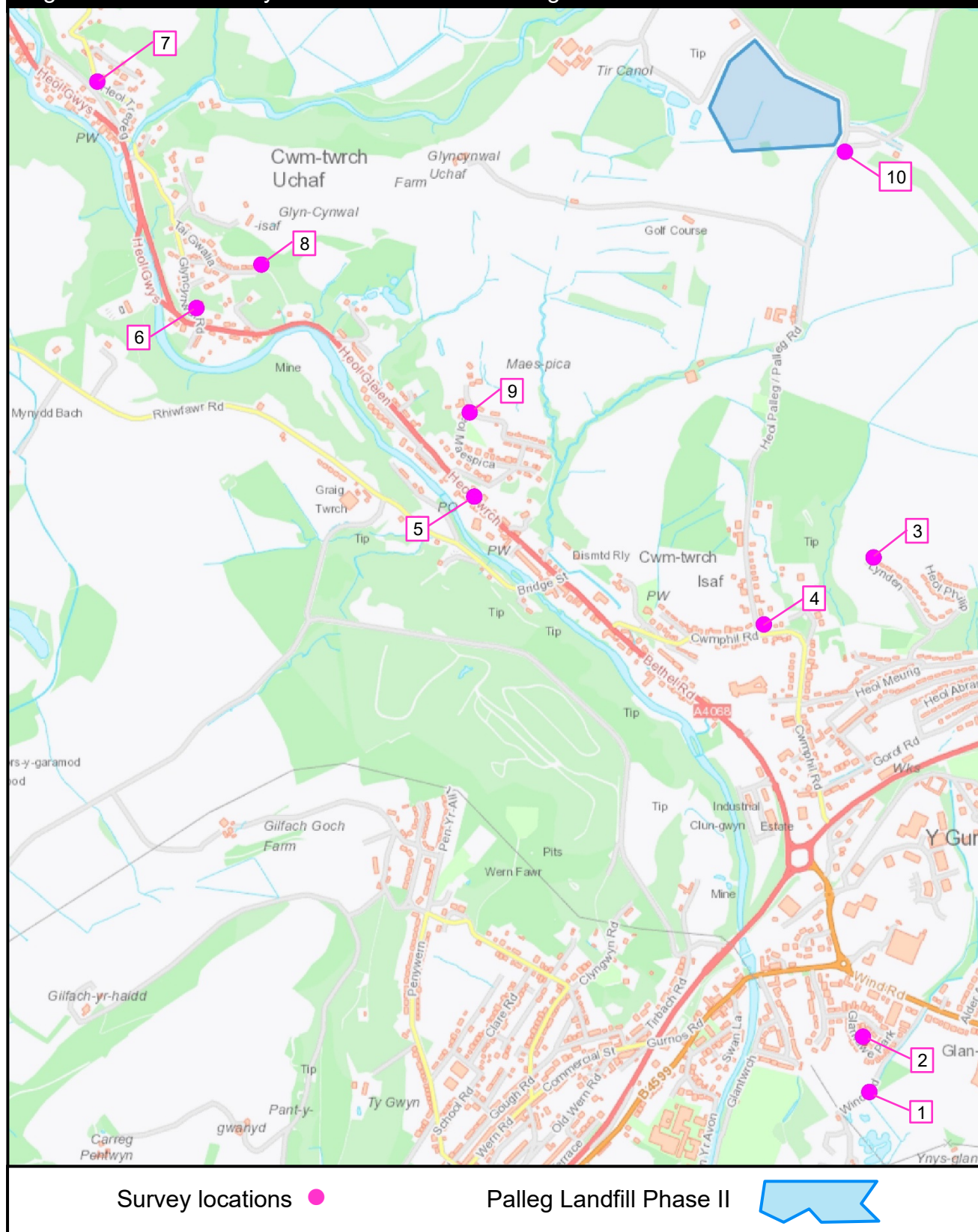
I did not observe any malodours at the survey locations except for a transient moderate rotting waste odour at one location in Lower Cwmtwrch. In the immediate vicinity of the landfill I observed a persistent moderate landfill gas odour.

The results of the odour survey are recorded in *Table 1* and survey locations relative to Palleg Landfill Phase II are presented in *Figure 1*.

Table 1 Off-site odour survey results			
Location	National grid reference	Time	Odour
1	SN 77579 08902	10:34	No odour observed
2	SN 77565 08998	10:40	No odour observed
3	SN77575 10216	10:50	No odour observed
4	SN 77301 10039	10:55	No odour observed
5	SN 76504 10461	11:03	Transient moderate rotting waste odour
6	SN 75843 10829	11:06	No odour observed
7	SN 75697 11324	11:11	No odour observed
8	SN 76042 10941	11:14	No odour observed
9	SN 76658 10537	11:18	No odour observed
10	SN 77520 11300	11:25	Persistent moderate landfill gas odour

At the time of the survey, Palleg Landfill Phase II was having no observable impact at the survey locations.

Figure 1 Odour survey locations relative to Palleg Landfill Phase II location



Following the odour survey, I undertook a limited inspection of the active deposition area at Palleg Landfill Phase II. I observed a persistent moderate rotting waste odour typical of an active deposition area. I did not observe any odours I would normally associate with landfill gas.

I observed a number of gas monitoring wells with traffic cones placed on top of them (see photograph 1). Traffic cones are often placed on or around pipework at landfill sites to alert machine operators to their position in order to prevent collision and damage. Traffic cones should NOT be used as rudimentary well-caps and would not be considered 'appropriate measures' as required by condition 3.4.1 of the environmental permit.

Due to the height of the well pipe(s) above ground level we were unable to establish if the well(s) had an engineered permanent well-cap in place. At the next routine audit, or in the event of any future odour complaints which implicate Palleg Landfill Phase II, we will bring the necessary equipment to enable us to undertake checks that engineered permanent well-caps are in place on a random selection of well pipes across the site.

The active deposition area had a fresh layer of daily cover set down although some areas had waste exposed (see photograph 2). The operator stated that waste had been deposited earlier that day and would have daily cover set down on it by the end of the day.



Photograph 1



Photograph 2

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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

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

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.