

Compliance Assessment Report CAR_NRW0037153

Permit being assessed: WP3432SC.

For: Nant Y Garth Landfill Site, held by Treborth Leisure Limited

At: Vaynol Woodlands, Portdinorwic, Gwynedd, LL56 4QG.

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

On 13/10/2020 between 11:15 and 12:30.

Parts of permit assessed: See Below

NRW Lead Officer: Philip Harper.

Report sent to: Paul Wills, Operator/TCM on 09/12/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C3 - General Management - Materials acceptance	C3 Minor	2.8.1
E3 - Emissions - Surface water	C3 Minor	3.3.1
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	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
2	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
C3	Perform litter pick, check loads	18/01/2021
E3	Check bales regularly, scrape silt back when required.	18/01/2021

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

NRW Industry & Waste Regulation Officer Phil Harper visited Nant Y Garth Landfill, Vaynol Woodlands, Coed Nant Y Garth, Portdinorwic, LL65 4QC on the 13th October 2020 at 11:15 am. The visit was accompanied by site operatives.

The weather conditions were sunny. Due to heavy rain the day before the inspection ground conditions were wet. The site was operational at the time of the inspection.

Waste Acceptance

A sample of waste day record sheets was inspected. The sheets have been filled out correctly and show the required information.

During the inspection it was noted that pieces of wood, plastics and metals had been deposited within inert waste and compacted down into the surface of the deposit. These wastes that are not permitted under schedule 3 of the permit. More effort should be made to inspect incoming loads of waste, when non-permitted wastes are discovered in a tipped load they should be picked out and deposited in the site skip.



Please be aware that the incorporation of biodegradable wastes such as wood into the waste mass may lead to the production of methane.

Permit condition 2.8.1 states that “Waste shall only be accepted for disposal if:

- (a) they are listed in Schedule 3, and**
- (b) they are inert waste, and**
- (c) they are not liquid waste (including waste waters but excluding sludge), and**
- (d) all the relevant waste acceptance procedures set out in Schedule 1 of the Landfill Regulations have been completed, and**
- (e) they fulfil the relevant waste acceptance criteria, and**
- (f) they have not been diluted or mixed solely to meet the relevant waste acceptance criteria, and**
- (g) from 30th October 2007 they are wastes which have been treated, except for wastes for which treatment is not technically feasible.**

Waste Transfer Notes

Waste transfer notes that were obtained on the day have been reviewed. These waste transfer notes are incomplete with the following issues identified.

- No EWC code shown for imported waste
- This is a season ticket for 5 loads at 20 tonnes each. The note does not show this information

Section 2 of the EMS for the site states that

For each load of waste arriving at the site the following checks must be made

- **Check the details on the waste transfer note (waste type (EWC Code), description, quantity, carrier and any waste characterisation information)**

A Category 3 permit breach against waste acceptance has been applied.



Water Pollution



During the inspection it was noted that silt laden water was running into a surface drain. Although straw bales had been placed around the drain, water was running through gaps between the bales and around the bales. The bales were also in a degraded condition. As a consequence, silt laden water was entering the adjacent main river.

As a consequence, silt laden water was entering the adjacent main river, with analysis showing heavily impacted water with suspended solids at 9000 mg/l and increase in the chemical oxygen demand from 19.2 mg/l to 572 mg/l. An increase of phosphorous from 0.02 mg/l to 0.045 mg/l has also been noted.

Discolouration was visible downstream where the river is crossed by Fodolydd Lane. A high level of suspended solids presents a risk to egg laying fish populations downstream. An elevated chemical oxygen demand can lead to anaerobic conditions which can be harmful to fish.

Advice and guidance regarding the maintenance of the drain was issued to the operator in a CAR from form issued by NRW officer Donna Muirhead, dated 2nd February 2020.

At the time of the inspection no distressed fish were observed. However, it is understood that the Afon Nant Y Garth downstream is an important for fish populations.

Please note that section 4 of the site EMS contains the following instruction.

“The daily site inspection is to be carried out by the Site Manager or Site Foreman or any other member of staff who has been trained in the requirements of the inspection process. The inspection is to ensure that the site PPC Permit is being complied with. Any

problems arising from the inspection shall be dealt with to ensure compliance.”

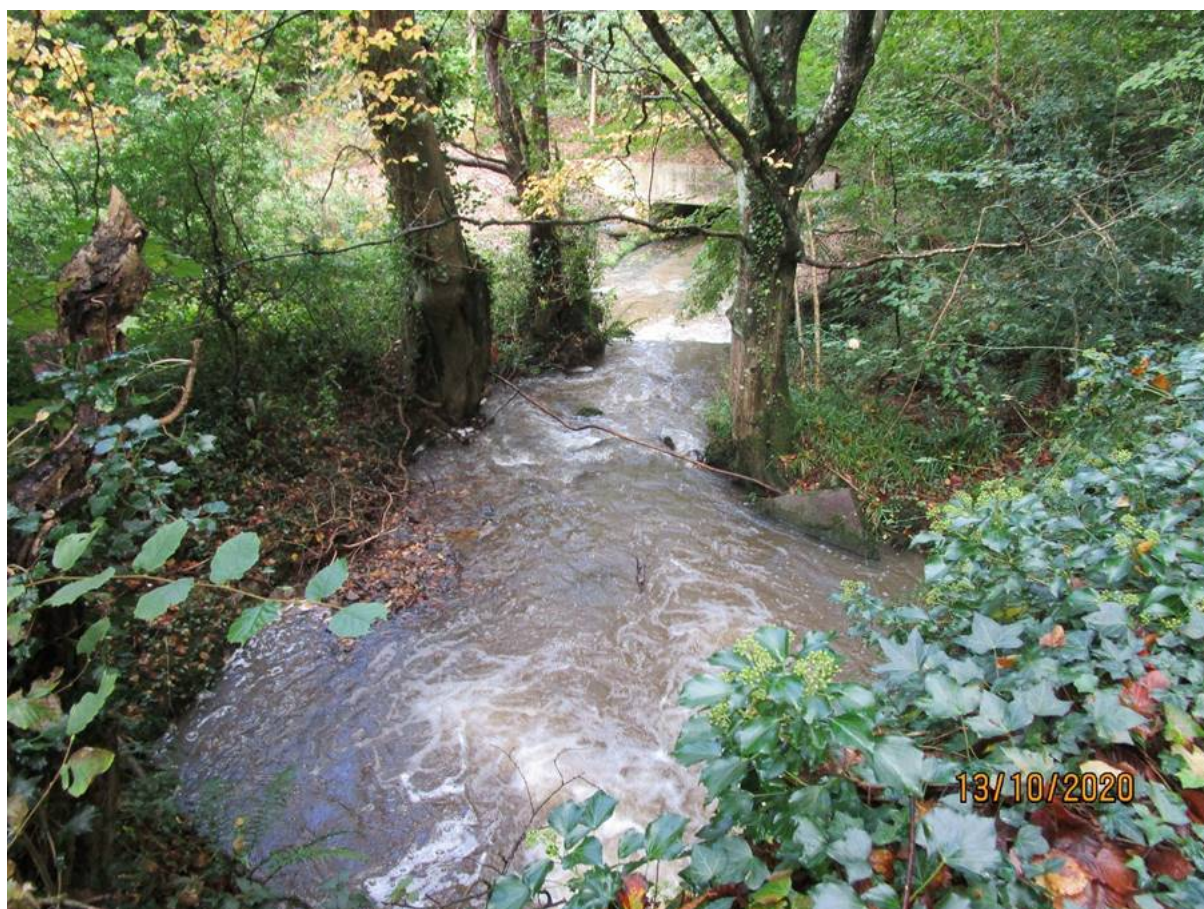
Of particular note

- **Surface water drain near main access road –visual assessment of suspended solids contamination**

The condition of the drain highlighted that either the daily inspection had not been carried out or acted upon indicating that the site EMS is **not** being adhered to.

A **Category 3 breach** has been applied with regard to permit condition **3.3.1 “Fugitive emissions of substances (excluding odour, noise and vibration) shall not cause pollution. The Operator shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, those emissions”**.





Actions:

- Provide training to site operatives to ensure that EMS is adhered to in future.
- Ensure that in future waste items which are not listed in **Schedule 3** of the permit are removed from the waste mass or rejected.
- Update the site EMS to reflect the pollution incident regarding the surface drain at the site entrance and submit to Phil Harper using the email address below by **Monday the 18th January 2021.**

F1 Odour

No odours on site or outside of the site boundary.

F2 Noise

Site was operational during the inspection, no excessive noise.

F3 Dust/fibres/particulates and litter

No dust on site, no litter outside of the site boundary.

F4 Pests/birds and scavengers

No vermin on site.

F5 Deposits on road

No deposits or mud on the road outside the site.

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.

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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.