

Compliance Assessment Report CAR_NRW0037440

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: Report/Data Review, Reason: Routine.

On 30/12/2020.

Parts of permit assessed: Q3 & Q4 monitoring returns

NRW Lead Officer: Rebecca Harwood.

Report sent to: Chris Bennion, Site Business Manager on 02/02/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor	Condition 3.6.1 (c)
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
E3 - Emissions - Surface water	Action only (X)	
E1 - Emissions - Air	C3 Minor	Condition 3.1.2
E2 - Emissions - Land and groundwater	C3 Minor	Condition 3.2.3
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor	Condition 3.6.1 (c)
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
4	16

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
G1	Ensure the correct sampling is undertaken on a quarterly and annual basis.	31/03/2021
G4	Forward Q3 results for GWBH2 when received	31/03/2021
E3	Review reasons for elevated concentrations of mecoprop within the Dulas Spring.	Already completed
E1	Resample	Already completed
E2	Resample	Already completed
G1	Ensure the correct sampling is undertaken on a quarterly and annual basis.	31/03/2021
G4	Forward Q4 results for GWBH01 and GWBH02 when received	31/03/2021
G4	Flow readings for the Dulas Spring are missing from the report, please forward and ensure these are submitted with future quarterly reports	31/03/2021

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

Quarterly Environmental Monitoring Report (July – September 2020)

The quarterly monitoring for July – September 2020 was submitted on 30th October 2020 in accordance with Condition 4.2.2.

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.

The full quarterly groundwater analysis suite was not completed, and a Part A/B notification was submitted on 28th January 2021. **This has been scored a CCS Category 3 breach of Permit, Condition 3.6.1 (c).**

Action 1: Ensure the correct sampling is undertaken on a quarterly and annual basis.

Analytical results have not been received for GWBH02; field parameters have been submitted.

Action 2: Forward results for GWBH2 when received.

All other boreholes remained compliant.

Surface Water discharge quality:

During the reporting period there were no readings in excess of the permitted limits for surface water quality samples taken from sampling point W1.

Samples were taken from the Dulas Spring weekly, and upstream and downstream points on the Afon Dulas monthly. It is noted that the Dulas Spring sample taken on 25th August 2020 had elevated concentrations of mecoprop. Although there are no trigger levels set for the spring, the concentration recorded was 0.05ug/l which is above the ELV for groundwater (0.04ug/l). This coincides with an increase in flow. The results for the following few weeks show a decrease in concentrations to <0.02ug/l and a decrease in flow.

Action 3 (completed): Review reasons for elevated concentrations of mecoprop within the Dulas Spring.

Flow readings for the Dulas Spring are missing from the quarterly report, these have subsequently been submitted separately.

Leachate levels and quality:

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

Leachate analysis was undertaken in July 2020.

In waste gas quality:

451 gas well readings were taken. Oxygen concentrations in excess of 5% were recorded on 53 occasions, and total carbon dioxide and methane concentrations of less than 80% were recorded on 219 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.

Quarterly Environmental Monitoring Report (October - December 2020)

The quarterly monitoring for October – December 2020 was submitted on 28th January 2021 in accordance with Condition 4.2.2.

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

Perimeter Landfill Gas monitoring:

A Part A/B notification was submitted on 6th November for an elevated methane reading at perimeter borehole BH18 on 27th October 2020. The reading was 4.4% v/v against a limit of 1% v/v (Table S4.5). **This has been scored a CCS Category 3 breach of Permit, Condition 3.1.2.**

Action 4 (completed): Resample - the borehole was checked on 4th November and no methane was detected, and it has remained compliant since.

All other boreholes were compliant.

Groundwater levels and quality:

Groundwater monitoring was undertaken in October. A Part A/B notification was submitted on 10th November for a breach of phenol in groundwater borehole GWBH23 from the sampling undertaken on 22nd October 2020. The analysis showed 3.2ug/l against a limit of 0.5ug/l (Table S4.4). **This has been scored a CCS Category 3 breach of Permit, Condition 3.2.3.**

Action 5 (completed): Resample - an additional sample was taken in November from this borehole and the result was below the ELV.

The full quarterly groundwater analysis suite was not completed, and a Part A/B notification was submitted on 28th January 2021. **This has been scored a CCS Category 3 breach of Permit, Condition 3.6.1 (c).**

Action 6: Ensure the correct sampling is undertaken on a quarterly and annual basis.

Analytical results have not been received for GWBH1 or GWBH2.

Action 7: Forward results for GWBH01 and GWBH02 when received.

Surface Water discharge quality:

Samples were taken from the Dulas Spring weekly, and upstream and downstream points on the Afon Dulas monthly.

Action 8: Flow readings for the Dulas Spring are missing from the report, please

forward and ensure these are submitted with future quarterly reports.

During the reporting period there were no readings in excess of the permitted limits for surface water quality sampling point W1.

Leachate levels and quality:

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

Leachate analysis was undertaken in October 2020.

In waste gas quality:

768 gas well readings were taken. Oxygen concentrations in excess of 5% were recorded on 90 occasions, and total carbon dioxide and methane concentrations of less than 80% were recorded on 320 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.

Annual Performance Monitoring

Condition 4.2.1 of the permit requires a report on the performance of the activities during the previous year.

Conditions 4.2.1 (a) and (b) are not due until 28th February 2021.

A report detailing performance relating to Conditions 4.2.1 (c) - (k) was received on 31st January 2021. No non compliances were identified.

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.