

Compliance Assessment Report CAR_NRW0037567

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 30/12/2020.

Parts of permit assessed: Q3 July - September 2020 Monitoring returns and Schedule 5 Notifications

NRW Lead Officer: Jamie Blythin.

Report sent to: Ian Craven , Area Manager on 15/02/2021.

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

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
B1	Operator to ensure pumps and ancillary equipment are well maintained	31/03/2021
E1	Site to continue to monitor closely.	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.

At this time, we do not intend to take any further action.

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

Q3 July- September 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-Q3 2020 leachate level exceedances with reference to Schedule 5 Notifications HAF 268 and 270 for cells 1,2 and 4 at 1.2-48.7m.

Leachate level exceedances with reference to Schedule 5 notification HAF 272 for cells 1,3 and 4 at 3.9-50.1m.

In July 1770 m³ of leachate was tankered off- site for treatment.

The new pump, headworks and panel in LMP2AR were installed.

As stated in the previous S5 (HAF265) the operator believes the manual dip in LMP4b for June to be either an erroneous measurement or due to perched levels from the large quantity of fire water used in tackling the fire draining into this chamber.

In July, the levels decreased from 18.97m in June to 6.04m.

On 28/07/20, the transducer level in LC 4 was at 2.10m which also takes into account the +1.2 offset, calculated during the CCTV survey.

In August, 1517 m³ of leachate was tankered off site for treatment.

The operator believes leachate levels in LMP2AR are perched due to the design of the well casing and therefore the results are not representative.

As stated in the previous S5 (HAF268 & HAF265) the operator believes the manual dips in LMP4b are either an erroneous measurement or due to perched levels from the large quantity of fire water used in tackling the fire draining into this chamber.

In August the operator saw the levels increase from 6.04m in July to 16.03m. Since the new pump has been installed in LC4 there has been a corresponding reduction in levels to 9.5m when dipped on 29th September. The operator is continuing to monitor further reductions in this monitoring chamber and if levels do not fall significantly (within the month) they will look to install a pump within this chamber.

On the 24th August the manually dipped level in LC 4 was at 16.46m which is thought to be a perched level. The pump was replaced on the 11th September and within a day the transducer levels showed that the level was below 1.0m.

In September, 1929 m³ of leachate was tankered off site for treatment.

On the 28th September the transducer reading in LMP1b was 0.52m but with an additional

offset of 0.80m, the actual level would read 1.32m.

The operator installed a new pump into LMP2R and on the 15th October recorded a level of 12.25m. This shows a significant reduction from the 28.49m recorded at the end of August.

LMP3 has been blocked or hung-up since May 2020. Towards the end of August, the operator installed a new dipping tube to prevent the dip tape getting hung up and on 29th September a level of 4.49m was recorded.

As stated in the previous S5's (HAF270 & HAF268) the operator believes the manual dips in LMP4b are thought to be either an erroneous measurement or due to perched levels from the large quantity of fire water used in tackling the fire draining into this chamber. The operator has seen the levels decrease from 16.03m in August to 9.54m in September.

In August the manually dipped level in LC4 was at 16.46m which is thought to be a perched level. The pump was replaced on the 11th September and the dipped level has decreased to 3.62m.

Action: Operator to ensure pumps and ancillary equipment are well maintained.

2. Breach of permit condition 3.1.7 The limits for landfill gas set out in Schedule 3, table S3.6 shall not be exceeded.

CCS3-Q3 2020 perimeter gas well exceedances with reference to the following Schedule 5 Notifications:

HAF 267 for methane levels in GB04a,GB04b,GB06a,GB07a,GB07b,GB09,GB10a and GB12 ranging between 2.7-37.7% versus a 1% limit.

HAF 269 for methane levels in GB04b,GB06a,GB07a,GB08,GB09 and GB12 ranging between 1.2-35.9% versus a 1% limit.

HAF 271 for methane levels in GB01,GB04a,GB04b,GB06a,GB07a,GB07b,GB09,GB12 and BHHA 10(m) ranging between 3.1-35.6% versus a 1% limit.

Historically, these perimeter wells have demonstrated elevated methane levels and indicate some migration from landfill and/ or potentially mine gas (wells at low relative pressure) and are subject to the Landfill Gas Management Plan.

Action: Site to continue to monitor closely.

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.