

Compliance Assessment Report CAR_NRW0037027

Permit being assessed: JP3239ST.

For: Lamby Way Landfill Site EPR/JP3239ST, held by The County Council of the City and County of Cardiff

At: Lamby Way Landfill Site Lamby Way, Cardiff, Cardiff, CF3 8EQ.

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

On 12/10/2020 between 10:00 and 11:30.

Parts of permit assessed: Flaring

NRW Lead Officer: Andi Kemp.

Report sent to: Gareth Ffoulkes, Landfill and Aftercare Manager on 13/10/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	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
0	0

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?

No action required.

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

Purpose Of Compliance Assessment

This CAR1 follows on from the CAR1 issued the 2nd October 2020 and includes a site meeting and inspections on 8th and 12th October 2020.

A CAR1 has also been sent to Infinis as they still hold and are responsible for the operations (especially flaring) at the Lamby Way landfill gas utilisation plant. The landfill permit, held by the Local Authority, includes flaring as a directly associated activity. The LA intend to engage a new contractor to run improved gas engines and the flares and may consider applying for (if Infinis do not transfer the GUP permit) a permit for the gas compound - this is a process in itself and guidance (including application forms and the Charging Scheme) is available on the NRW website. Gas utilisation, if Infinis surrender their permit, cannot recommence until a new permit is issued to either the LA or a new contractor - bear in mind indicative timescales for permit application, transfer, surrender applications.

Notwithstanding the outcome of the re-permitting situation, NRW offers this advice for present and ongoing operations with regard to gas extraction, utilisation and flaring. Until Infinis successfully surrender the GUP permit, the responsibility for the safe flare management, emissions control and incident response, remains with Infinis - the CAR1 sent to them on 13th October 2020 reaffirms this.

Cardiff Local Authority must consider these points and more detail can be found in the LFGTN03, Flaring Guidance and the Landfill Gas ICoP.

- The gas field will need to be managed and balanced on a daily and weekly basis in order to ensure gas supply to the GUP, minimising air ingress to the landfill (fire risk) and maximising gas to the compound - who will do this and when? Infinis have been asked if they intend to continue this, however this activity is part of the landfill permit.
- Management of flow rate into compound and gas blowers.
- Conditioning of landfill gas: knock out pots, condensate, particulates, demisters.
- Gas composition coming off the field and into the compound: CH₄ / CO ratio, balance gas (oxygen and nitrogen levels).
- Flare burners: gas velocity and flame front; control of burner operation.
- Combustion air, how controlled (low pressure, natural draught).
- Flame detector and temperature probes.
- Flame arrestor maintenance and slam shut valve operation.
- Temperature profile in stack and general combustion conditions: refractory lining / flare insulation, cold spots, turbulence, temperature and residence time.
- Process control - how?
- Defining flare turn down ratio - ensuring gas volume is at or above TDR.
- Start up process - explosive atmospheres, ignition system, purging standing gas from line before ignition.
- Cardiff to provide Emergency contact numbers for members of the public and for the Regulator, for incident response, after Infinis surrender or transfer their permit. These numbers should be posted at the gas compounds (including Ferry Road).

General maintenance: inlet gas temperature, moisture, pressure, electrical control panels, temperature and ignition systems, knock out pot filters, liquid level, alarms, cleaning flame arrestors, maintenance of valves and throttling boosters.

END

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.