

Compliance Assessment Report CAR_NRW0038304

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 01/03/2021.

Parts of permit assessed: Annual Performance

NRW Lead Officer: Rebecca Harwood.

Report sent to: Chris Bennion, Site Business Manager on 15/06/2021.

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	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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?

Criteria	Action needed	Complete by
G1	Ensure non potable water usage is monitored and reported in future returns.	31/12/2021

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

Review of Llanddulas Landfill Annual Monitoring Report February 2020 – January 2021 and Annual Environmental Reporting 2020

The Annual Environmental Reporting requirements were submitted on 31 January 2021, in accordance with Condition 4.2.1. requiring a report or reports on the performance of the activities over the previous year to be submitted.

The Llanddulas Landfill Annual Monitoring Review covering February 2020 – January 2021 was submitted to NRW on 28 February 2021 as required by Condition 4.2.1(a). This included a review of annual targets as required by Condition 4.2.1(b).

Point Source Emissions to Air

Only Emission Point A2 (Engine 1) was monitored in accordance with Condition 3.6.1(b) and Table S4.2 during December 2020. Engine 3 (A4) was removed from site in January 2016 and Engine 2 (A3) has been taken out of service. The flare was not monitored as it had operated for less than 10% of the time over the annual assessment period.

Condition 3.6.1(b) and Table S4.2 requires that non methane volatile organic compounds are monitored from the flare and gas engine. These results are missing from the monitoring submission. The Operator has stated that EA guidance came into force in 2010 (LFTGN08) which omitted the requirement for NMVOC's, however, NRW have not yet formally adopted or agreed this position.

Advice & Guidance: NRW will confirm if NMVOC monitoring is required.

The results for oxides of nitrogen, carbon monoxide and volatile organic compounds were within the ELVs specified in Table S4.2.

Landfill Gas

Condition 3.6.1(d) and Table S4.6 require a Flame Ionisation Detector (FID) walkover survey of the permanently and temporarily capped areas of the landfill. The Operator has stated that this was completed as part of the monthly FID/TDL (Table S4.11).

Trace gas analysis was undertaken in accordance with Condition 3.6.1(d) and Table S4.7. Increases in concentrations of benzene, carbon disulphide, dimethyl disulphide and toluene were noted compared with previous years.

Leachate

Annual leachate sampling was undertaken during October 2020 in accordance with Condition 3.6.1(a) and Table S4.8.

Groundwater

Annual groundwater sampling was undertaken during October 2020 in accordance with Condition 3.6.1(c) and Table S4.10.

Performance Parameters

Energy consumption at the site has been submitted in accordance with Condition 4.2.1(c) and Table S5.3.

Potable water usage at the site has been submitted in accordance with Condition 4.2.2(d) and Table S5.3. Non potable water use has not been recorded.

Action: Ensure non potable water usage is monitored and reported in future returns.

Annual Production / Treatment

Annual production/treatment, as required by Condition 4.2.1(e) and Table S5.2, has been provided. 19,424m³ of leachate was disposed of through the onsite effluent treatment plant.

Combustion figures show 505,474 and 7,271,048 normalised m³/year were combusted through the flare and gas engine respectively.

Topographical Survey

The topographical survey was undertaken during December 2020 in accordance with Condition 4.2.1 (g-j). The settlement between the 2019 survey and 2020 survey is 98,951m³. The remaining capacity has been calculated at 16,387m³. An assessment of the settlement behaviour of the landfill body was also provided although the Operator has stated that this was hindered by tipping operations at some of the monitoring positions.

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.