

Compliance Assessment Report CAR_NRW0038534

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 23/07/2021.

Parts of permit assessed: Q1 2021 January-March monitoring returns and Schedule 5 notifications

NRW Lead Officer: Jamie Blythin.

Report sent to: Ian Craven , Area Manager on 26/07/2021.

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
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4 No impact	3.5.1 (C)
E3 - Emissions - Surface water	C3 Minor	3.1

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

Total number of non-compliances recorded	Total non-compliance score
4	12.1

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	<p>ACTION 1- Provide NRW with an update on the outcome of the pumping trial, installation of Ebox system and what actions have been carried out to address the issues which have prevented samples being taken from the following monitoring points:</p> <p>January- HAF LMP1b (Blocked at top), HAF LMP2AR (Hung up at 13.11m), HAF LMP3 (Blocked at 4m), HAF LMP4a (Chamber too high)</p>	20/08/2021

Criteria	Action needed	Complete by
	<p>Feb- HAF LMP1b (Blocked at top), HAF LMP3(Blocked at 4m), HAF LMP4a (Chamber too high),</p> <p>March- HAF LMP1b (Blocked at top), HAF LMP3 (Blocked at 4m), HAF LC4 (Chamber too high), HAF LMP4a (Chamber too high).</p>	
E1	ACTION 2- Operator to continue to follow Landfill Gas Management Plan and monitor closely.	20/08/2021
G1	ACTION 3- Ensure monthly data for groundwater levels are provided as part of quarterly monitoring returns going forward.	01/10/2021
E3	ACTION 4- Operator to continue to monitor and review future monitoring results for Ammoniacal Nitrogen and Iron to see if the elevated concentrations continue or if, as the historical results suggest, that this particular set of results are likely to be anomalous.	01/10/2021

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

Review of Q1 January-March 2021 monitoring returns and Schedule 5 notifications.

1. Leachate - condition 2.7.1-Table S3.1

During Q1 (January -March 2021) leachate levels between 1.77m and 29.17 were recorded versus a compliance limit of 2m.

With reference to Schedule 5 notifications HAF279, HAF 283 and HAF 286, there were 11 instances where the recorded leachate level was >2m. NRW considers this a breach of permit condition 2.7.1 -The limit for the level of leachate listed in schedule 3,table S3.1 (2m), shall not be exceeded (B1-CCS3).

The operator was unable to sample the following monitoring points:

January- HAF LMP1b (Blocked at top), HAF LMP2AR (Hung up at 13.11m), HAF LMP3 (Blocked at 4m), HAF LMP4a (Chamber too high)

Feb- HAF LMP1b (Blocked at top), HAF LMP3 (Blocked at 4m), HAF LMP4a (Chamber too high),

March- HAF LMP1b (Blocked at top), HAF LMP3 (Blocked at 4m), HAF LC4 (Chamber too high), HAF LMP4a (Chamber too high).

During Q1, a total of 10,078m³ of leachate was tinkered offsite for treatment.

With reference to Schedule 5 notifications HAF 279, HAF 283 and HAF 286, the operator states that the high leachate levels recorded for some of the monitoring points e.g. LMP4b, LMP2AR are believed to be caused by perched leachate or erroneous results caused by the dip tape catching on the pipework.

To address these issues, the operator has proposed a number of measures:

- LMP4b- carry out a pumping trial on this monitoring point by installing a pneumatic pump, to see if the level recharges or identify perched leachate
- LMP2AR- install wiring to allow Ebox system with transducer to be fitted.

ACTION 1- Provide NRW with an update on the outcome of the pumping trial, installation of Ebox system and what actions have been carried out to address the issues which have prevented samples being taken from the following monitoring points:

January- HAF LMP1b (Blocked at top), HAF LMP2AR (Hung up at 13.11m), HAF LMP3 (Blocked at 4m), HAF LMP4a (Chamber too high)

Feb- HAF LMP1b (Blocked at top), HAF LMP3 (Blocked at 4m), HAF LMP4a (Chamber too high),

March- HAF LMP1b (Blocked at top), HAF LMP3 (Blocked at 4m), HAF LC4 (Chamber too high), HAF LMP4a (Chamber too high).

2. Leachate-other monitoring requirements-condition 3.5.1 (a)-Table S3.9

The operator provided data for leachate-other monitoring requirements as required by condition 3.5.1 (a).

3. Perimeter gas- condition 3.1.7 -Tables S3.6 and S3.7

With reference to Schedule 5 notifications HAF280, HAF282 and HAF284, there were 25 instances during Q1 where methane levels in perimeter gas wells exceeded the 1% compliance limit. NRW considers this a breach of permit condition 3.1.7-The limits for landfill gas set out in schedule 3, Table S3.6 and S3.7 shall not be exceeded (E1-CCS3).

HAF280 for methane levels in GB01, GB03, GB04b, GB06a, GB07b, GB09, GB12 and

GB13 ranging between 1.5-45.5% versus 1% compliance limit.

HAF282 for methane levels in GB01, GB03, GB04a, GB04b, GB06a, GB07a, GB07b and GB12 ranging between 4-53.3% versus 1% compliance limit.

HAF284 for methane levels in GB01, GB04a, GB04b, GB06a, GB07a, GB07b and GB12 ranging between 1.7-67.6% versus 1% compliance limit.

Historically, these perimeter gas wells have demonstrated elevated methane levels. Apart from a few exceptions- 12.01.21 GB12 (5.43mb), 2B(B) (2.08mb), 15.02.21 GB10a (4.87mb), HA11B(m) (3.03mb)- all perimeter gas wells show very low or negative relative pressure. The perimeter gas wells are subject to the Landfill Gas Management Plan.

ACTION 2- Operator to continue to follow Landfill Gas Management Plan and monitor closely.

4. In waste landfill gas- condition 3.5.1(d)-Table S3.8

The operator has provided monthly in waste landfill gas data as required by condition 3.5.1(d).

5. Groundwater quality and levels-condition 3.5.1(c) -Tables S3.5 and S3.11

The operator has provided data for groundwater quality and groundwater levels. However, groundwater levels have only been provided for March 2021 rather than monthly as specified by the permit. NRW considers this to be a breach of permit condition 3.5.1 (c) The operator shall, unless otherwise agreed in writing by NRW, undertake the monitoring and any other actions specified in the following tables in Schedule 3 to this permit (c) Groundwater specified in tables S3.5 and S3.11. (G1-CCS4).

ACTION 3- Ensure monthly data for groundwater levels are provided as part of quarterly monitoring returns going forward.

6. Point source emissions to water (other than sewer)-condition 3.1-Table S3.3

With reference to Schedule 5 notifications HAF281 and 285, the limits for Ammoniacal Nitrogen and Iron were breached. NRW considers this to be a breach of condition 3.1 (E3-CCS3).

HAF281- on 12.01.21, monitoring point SW1a recorded a slightly elevated Ammoniacal Nitrogen result of 1.9 mg/l versus a compliance limit of 1.8mg/l. The operator states that they started using a new accredited laboratory in January 2021 and this slightly elevated result would fall within the uncertainty levels of the laboratory test. No other parameters were elevated / breached compliance limits on 12.01.21.

HAF285- On 17.03.21, monitoring point SW2 recorded an elevated level of Iron 0.29mg/l and SW1 recorded an elevated level of 0.22mg/l versus compliance limits of 0.17mg/l. No other parameters were elevated/ breached compliance limits on 17.03.21.

ACTION 4- Operator to continue to monitor and review future monitoring results for Ammoniacal Nitrogen and Iron to see if the elevated concentrations continue or if, as the historical results suggest, that this particular set of results are likely to be anomalous.

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.