

Compliance Assessment Report CAR_NRW0038591

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 09/08/2021.

Parts of permit assessed: Q2 monitoring returns

NRW Lead Officer: Rebecca Harwood.

Report sent to: Chris Bennion, Site Business Manager on 10/08/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4 No impact	Condition 3.6.1(d)
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Action only (X)	
B1 - Infrastructure - Engineering for prevention and control of emissions	C3 Minor	Condition 3.3.5

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

Total number of non-compliances recorded	Total non-compliance score
2	4.1

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
G1	Part B to be submitted explaining what procedures are in place to avoid a reoccurrence.	31/08/2021
G1	Ensure monitoring personnel have the required training to ensure monitoring point readings are saved onto any field instruments and provide training records of staff to NRW.	31/08/2021
B1	Details of works to be undertaken to remediate the wells and reduce emissions to be submitted.	31/08/2021

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 (April - June 2021)

Quarterly monitoring results for April - June 2021 were submitted on 30th July 2021 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 levels for methane.

A Schedule 6 Notification was submitted on 4 June 2021 due to a missed fortnightly monitoring event. Based on the current results for the perimeter boreholes and the fact that these have remained compliant for over 6 months, **this has been scored a CCS Category 4 breach of Permit Condition 3.6.1(d).**

Action: Part B to be submitted explaining what procedures are in place to avoid a reoccurrence.

It was also noted that on a couple of dates gas readings were not saved on to the gas analyser.

Action: Ensure monitoring personnel have the required training to allow monitoring point readings to be accurately stored on any field instruments and provide training records of monitoring staff to NRW.

Nb: If monitoring is missed again or results continue to not be saved then these scores may be reviewed.

Groundwater levels and quality:

Quarterly sampling of groundwater was undertaken during May 2021. There were no readings in excess of the permitted limits for groundwater quality detected during the

reporting period.

Surface Water discharge quality:

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

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

Leachate levels and quality:

There were no breaches of permitted leachate levels during this review period. However, it is noted that levels within leachate well LLALCP3A are increasing and were close to the compliance limit in June 2021.

Quarterly leachate analysis was undertaken in May 2021.

In waste gas quality:

732 gas well readings were taken. Oxygen concentrations in excess of 5% were recorded on 115 occasions, this is an increase on Q1 results. Total carbon dioxide and methane concentrations of less than 80% were recorded on 409 occasions, a significant increase on Q1 results – 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:

A Schedule 6 Notification was submitted on 15th July 2021. Concentrations above 1000 ppm were noted across the site and at two locations (D306 and LC2CR) there were 3 consecutive breaches. **This has been scored a CCS Category 3 breach of Condition 3.3.5.**

Action: Details of works to be undertaken to remediate the wells and reduce emissions to be submitted.

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.