

Compliance Assessment Report

Report ID:
CAR_NRW0033954

This form will report compliance with your permit as determined by an NRW officer

Site	Trehir Quarry Landfill	Permit Ref	GP3392EH			
Operator/Permit holder	Caerphilly County Borough Council					
Regime	Waste Operations					
Date of assessment	24/07/2018	Time in	11:00	Out	13:00	
Assessment type	Audit					
Parts of the permit assessed	various					
Lead officer's name	Malatynski, James					
Accompanied by						
Recipient's name/position	Malcolm Smith/ Site Manager	Date issued	20/09/2018			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	A	
D1 - Incident Management - Site security	C3	18.
E1 - Emissions - Air	A	
E2 - Emissions - Land and groundwater	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	C3	19.
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	51.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	50.3, 51.4, 52.3 and 54.6

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	12.1
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Natural Resources Wales regulation officers Tyrone WARD, James MALATYNSKI and Jonothan LEE attended the Trehir closed landfill site to conduct a routine site inspection on 24th July 18. Due to the status of the site, there was no evidence of operation at the time of the site visit. The weather was interchangeable between dry and showery spells.

Compliance

F3: Amenity – Specified by permit condition 19. – CCS CAT 3

Condition 19. of your permit states 'The licence holder shall ensure that all precautions necessary to prevent water pollution are taken and maintained and all discharges to and water-courses are with the agreement or consent of the Waste Disposal Authority and in accord with all the conditions contained therein.'

Quantities of loose waste was present through the surface water drainage channels, better housekeeping and removal of loose waste from site needed. Aside from the impact on the water this non-compliance could foreseeably result in pollution causing and impact on the aesthetic quality of the surrounding area should the loose waste escape the site.

There were sections of the drainage channel that appear damaged and in require repairs.



Image 1: Contaminated drainage channel.

Action: Please ensure that waste remains out of the drainage channels to prevent contamination of water and to prevent the site impacting on the local area. Please consider carrying out repairs to the drainage channel where there is clear evidence of damage.

D1: Security – Specified by permit condition 18. – CCS CAT 3

Condition 18 of your permit states ‘The site shall be manned and supervised at all times when the site is open and the tip entrance gates locked when the site is not manned, to provide adequate security and prevent unauthorised access.’

There was evidence of burning on site, with the likely cause being unauthorised access suggesting that security on site is inadequate. It is the operators’ responsibility to provide adequate security to prevent unauthorised access and records show a history of unauthorised access and the operator has no plan to reduce the risk of this happening to our knowledge.



Image 2: Damage caused by burning on site.

Action: Please consider upgrading site security to prevent unauthorised access allowing damage to occur on site.

G1: Monitoring if emissions & the environment – Specified by permit condition 51.2b – CCS CAT 3

Condition 51.2b of your permit states ‘The engineered external groundwater monitoring system provided for the site shall be:

b) Inspected and maintained, and fully documented and recorded’

Access to some of the sample points on site were made extremely difficult due to the lack of maintenance allowing for overgrowth to impede access. This made it difficult to locate the sample points.



Image 3: Sample point with overgrowth.

Action: Please maintain sample points to allow easy access in the future. It would be recommended to perform a recce of the overall site to check sample points are easily accessible.

G4: Reporting and notifications – Specified by permit condition 50.3, 51.4, 52.3, 54.6 – CCS CAT 4

Condition 50.3, 51.4, 52.3 and 54.6 of your permit states 'A copy of the quality assured records of each monitoring and sampling result, with the interpretation of the results against background of trigger levels, shall be submitted to the Agency on a monthly basis, within 1 month of its being carried out.'

Our records show that we didn't receive your monitoring results within the time limited stated in your permit.

Action: Please ensure that monitoring results are provided within the specified time.

General Observations

Inspection of the gas monitoring points showed that there has been replacement gas bungs and taps where they were absent previously. Regular monitoring of these points are needed to ensure they are replaced if missing.

Inspection of gas extraction wells revealed that they were on but with little evidence of flow, this was likely to be very low.

The gas engine was operational during the site visit with no issues to report.

We would also like to take this opportunity to remind you that the latest Annual Review (covering July 17 to June 18) is due by the end of Oct. Condition 55 of the permit. Environmental reports and monitoring data have been frequently submitted through the year, please ensure that this good practice is continued. We have received and reviewed your recently submitted monitoring reports for permit EPR-GP3392EH.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

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EPR Compliance Assessment Report

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Site	Trehir Quarry Landfill	Permit Ref	GP3392EH
Operator/Permit holder	Caerphilly County Borough Council	Date	24/07/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
G4	C4	Ensure that reports are submitted on time in line with your permit.	31/10/2018
G1	C3	Ensure that there is easy access to sample points on site.	31/12/2018
D1	C3	Secure the premises ensuring that the site is free from intruders.	31/12/2018
F3	C3	Ensure that drainage channels are not obstructed.	31/10/2018

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.