

Compliance Assessment Report CAR_NRW0038775

Permit being assessed: KP3994FG.

For: Penhesgyn Gors Landfill (area 3), held by Cyngor Sir Ynys Mon

At: Penhesgyn Gor Landfill, Menai Bridge, Ynys Mon, LL59 5RY.

Type of assessment carried out: Audit, Reason: Other.

On 24/08/2021 between 10:00 and 15:00.

Parts of permit assessed: 1.1,3.5,4.1

NRW Lead Officer: Anthony Roberts.

Report sent to: Meirion Hughes, Head of Waste Management on 28/09/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E2 - Emissions - Land and groundwater	C3 Minor	1.1,3.5,4.1

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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
E2	Borehole improvements and replacement	30/11/2021

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

Groundwater Borehole Monitoring Audit 24th August 2021

Summary

A groundwater borehole monitoring audit was conducted at Penhesgyn landfill on the above date, accompanied by Anna Cole of Egniol Consulting and Sean Benyon of Ynys Mon CC.

In summary the main issues are improved access, replacement of headworks, borehole purging and a single borehole has been lost and requires replacing.

This represents a breach of the conditions listed below and as such will be scored a CCS 3

Issues/Actions

BH1/88 – a crossgradient monitoring point. Access is difficult during the growing season. The BH is still usable but the physical condition of the BH has deteriorated and it needs addressing.

BH2/88 – a regulated crossgradient/downgradient monitoring point. Access is difficult during the growing season. The BH is usable but the physical condition of the BH needs addressing.

BH19 – a monitoring point is situated adjacent to and downgradient from Area 2. The BH is used for gas monitoring and has been incorporated for collecting GW monitoring data.

BH22 – Non-functioning gas/GW monitoring point downgradient from Area 2. It was agreed to reinstate this BH at a location along the SW boundary of the composting site. The location was agreed during this visit. Exact location to be confirmed.

BH8/88 – BH lost and will not be reinstated providing that there are at least two other suitable downgradient monitoring points to ensure compliance with the Landfill Directive.

BH96B – a regulated downgradient monitoring point. Access is difficult during the growing season. The physical condition of the BH is poor. The headworks should be replaced and it was suggested that the BH standpipe should be desilted to improve the water collection. In the current condition, the BH cannot be dipped to base.

Relevant Permit Conditions:

1.1 General management

1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, **maintenance**, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and

(b) using sufficient competent persons and resources.

3.5 Monitoring

3.5.1 The operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake the

monitoring and any other actions specified in the following tables in schedule 3 to this permit:

- (a) Leachate specified in tables S3.1 and S3.8;
- (b) Point source emissions specified in tables S3.2 and S3.3
- (c) Groundwater specified in tables S3.5 and S3.10;**
- (d) Landfill gas specified in tables S3.6 and S3.7; and
- (e) Surface water specified in table S3.9.

3.5.2 The operator shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.

4.1 Records

(d) be retained, unless otherwise agreed in writing by Natural Resources Wales, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:

- i. (ii) matters which affect the condition of the land and groundwater.
- ii. (iii) the results of groundwater monitoring;

Table S3.10 Groundwater – other monitoring requirements

Emission point reference or source or description of point of measurement	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
BH01 to BH31, BH50 to BH54, BH1/88, BH2/88, BH96B as identified on Figure 2 Monitoring locations, of the Hydrogeological Risk Assessment Review (Report fc37224, June 2020)	Water level	Annually		In accordance with Environment Agency document 'Guidance on monitoring of landfill leachate, groundwater and surface water' (LFTGN02).

Schedule 4 - Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Table S4.1 Reporting of monitoring data

Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Groundwater Parameters as required by condition	BH01 to BH31, BH50 to BH54, BH1/88, BH2/88, BH96B	Every 12 months	1 January

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.