

Compliance Assessment Report CAR_NRW0038930

Permit being assessed: FP3590LV.

For: Rhuddlan Bach Quarry Landfill Site, held by Clive Hurt (Plant Hire) Ltd

At: Rhuddlan Bach Quarry Landfill Site, Brynteg, Anglesey, LL78 7JJ.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 10/11/2021 between 09:30 and 11:15.

Parts of permit assessed: See Below

NRW Lead Officer: Philip Harper, accompanied by Ceris Evans.

Report sent to: Richard Hurt, Operator on 23/11/2021.

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	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
A1 - Specified by permit	C3 Minor	1.1.1(a)

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
C2	Submit up to date EMS to NRW.	17/12/2021
A1	Adhere to site Environmental Management System	31/03/2022

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

NRW officers Phil Harper and Ceris Evans visited Rhuddlan Bach Quarry Landfill Site, Brynteg, Anglesey, LL78 7JJ on the 10th November 2021. This was an announced site visit. The operator Richard Hurt and Sean O'Brien, Senior Environmental Scientist at Caulmert accompanied the inspection. A pre-application meeting regarding variation **WPCC10463/ PPN-00515** was also conducted. An email to clarify points discussed during the meeting was sent to the operator on the 11th November 2021. The focus of the inspection was to explore sources and pathways for pollution from the site.

Weather conditions were dry with sunny intervals. At the time of the inspection quarrying activities were taking place. There was no treatment or deposit of waste at the site during the inspection.

A1 Specified by Permit

Refuelling

Infrastructure for refuelling site vehicles was inspected during the visit.



Section 2.7.1 of the site EMS states that **“The existing diesel fuel tanks will be used for refuelling plant and equipment. The tanks will be surrounded by an impermeable bund which is capable of containing 110 % of the volume of fuel stored in the tank. The pipework and all fuel nozzles will be retained within the bunded area. The specification of the bund will be agreed with the Environment Agency prior to construction.”**

The current refuelling facilities do not comply with the site EMS as no bunding is provided to pipes and nozzles at the pump. The pump is located on a permeable surface. Fuel spillage on a permeable surface can lead to ground contamination and water pollution.

Further to this, it is bad practice to refuel vehicles in a location without sealed drainage.

Action: Ensure that fuel storage facilities are compliant with the site EMS by the **10th May 2022**.

Boreholes

Sections **2.12.1** and **4.8.1** of the site EMS state that boreholes on site will be constructed as shown on drawing MM/GM/001 which is shown below.

During the inspection the following observations were made.

- BH1B as pictured below does not have a cover and is not the correct height above ground as detailed in MM/GM/001. This could lead to the damage or contamination of the borehole.
- BH2 had a concrete surround, but no cover was visible. Vegetation had also grown within the surround.

Please be aware that section 8 of the LFTGN02 Guidance on Monitoring of Landfill Leachate, Groundwater provides design requirements for Monitoring points.

8.2.1 states the following.

The design of monitoring infrastructure should only be finalised after completion of the risk-based monitoring review and in the light of the overall monitoring objectives for the site and the monitoring schedules to be implemented (Chapters 4, 5 and 6). This may lead to the abandonment or modification of existing monitoring infrastructure (inherited from site investigations) and the provision of new monitoring points. Common design objectives are that monitoring points should be constructed to:

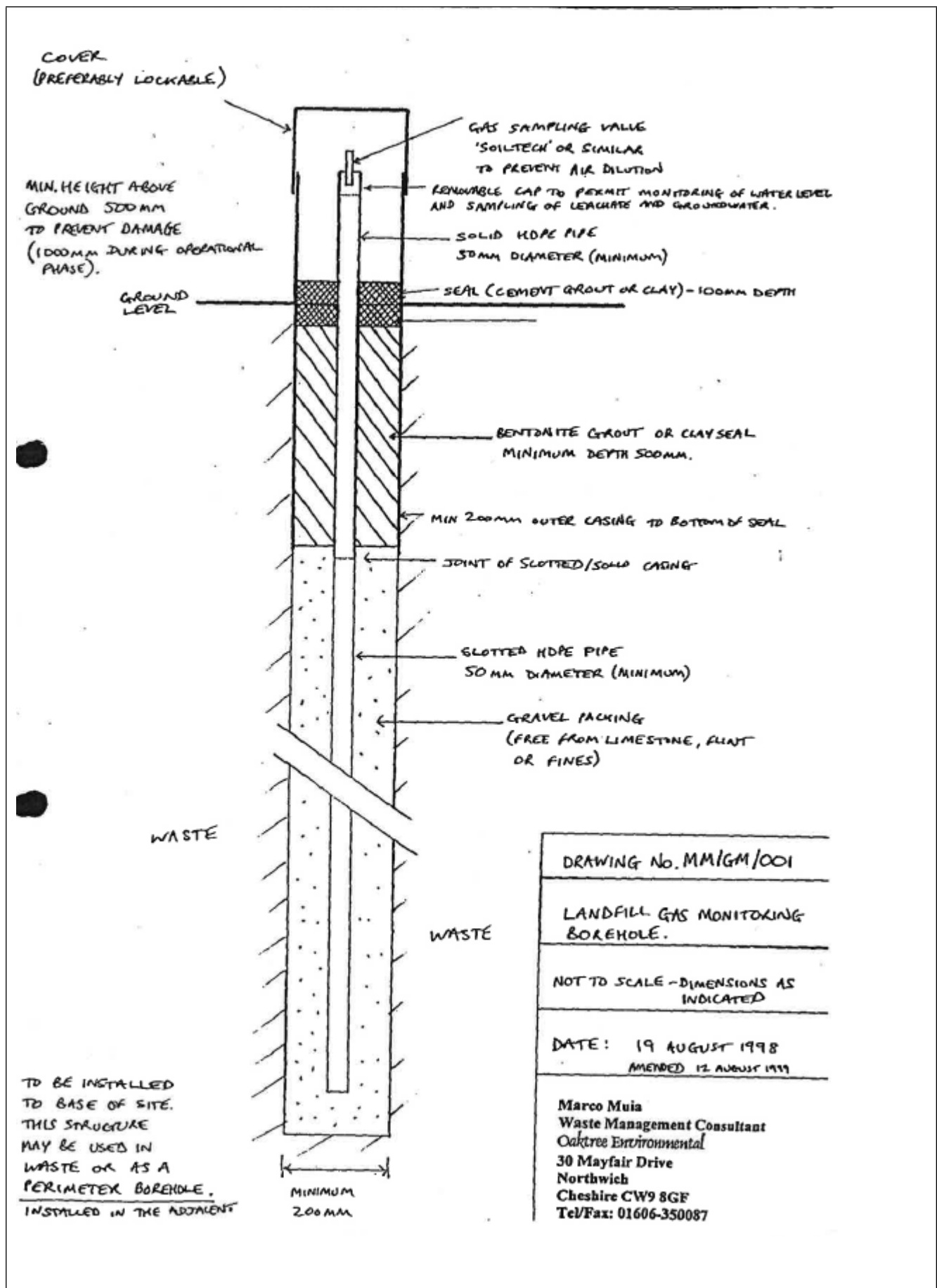
- prevent mixing of separate sources of water (e.g. leachate and groundwater, surface water with groundwater or different levels of groundwater within strata);
- use materials that will not influence the measurements being taken accommodate sampling equipment. Additional design requirements relate to the protection and safety of monitoring points.

Monitoring points should be:

- designed to physically survive the effects of use, abuse, weather (including flooding where appropriate) and ground movement, for a specified design lifetime. The design lifetime for the monitoring point may be less than that of the site. If this is the case, a maintenance and replacement schedule should be provided in the site operational plan;
- protected from vandalism and unauthorised entry;
- protected from damage by plant and machinery;
- capable of being easily found, and marked to allow identification by personnel unfamiliar with the site;
- protected from ingress of foreign matter (e.g. dust, rainfall, surface water inflow);
- sealed (where necessary) to prevent excessive emission of leachate, landfill gas and other natural gases or artesian water;
- safe for the purpose of monitoring. Further design objectives specific to different types of monitoring point are given in the appropriate sections below

A **consolidated category 3 score** has been applied with respect to permit condition **1.1.1(a) The operator shall manage and operate the activities 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.**

Action: Boreholes should be made compliant with site EMS by the **10th May 2022**.





Please note that BH3B was inaccessible and hidden due to vegetation. Further to this, sample data is missing for this borehole due to access issues. Efforts should be made to facilitate access to the borehole throughout the year.

B1 Engineering for Control of Emissions

During the site inspection the management of oils from the site was discussed. All surface water from the site is collected in a sump which is pumped out through a silt buster then a series of settlement lagoons before discharging into a watercourse which runs along the southern boundary of the site.

The use of Sumps is covered on page 30 of the how to comply document below.

<https://cdn.cyfoethnaturiol.cymru/media/2110/how-to-comply-with-your-environmental-permit.pdf?mode=pad&rnd=131467604540000000>

Sumps (other than those within bunds – see below) must be:

- impermeable and resistant to stored materials
- looked at regularly and any contents removed after checking for contamination
- where not frequently inspected, fitted with a high level probe and alarm
- regularly inspected for their condition (normally visual, but extending to hydraulic testing where structural integrity is in doubt).

Provided that testing is being carried out on the water within the sump before pumping out and that this is documented then NRW is satisfied that appropriate measures are being taken to prevent pollution of the neighbouring watercourse with hydrocarbons that have arisen from site activities.

No breaches were observed.

C2 Management System and Operating Procedures

The most recent Environmental Management System for the site is dated 12th August 1999. Please send an updated site EMS for review by NRW.

C3 Materials Acceptance

Waste was observed within the transfer station. All waste was compliant with the waste acceptance criteria for the site. No issues were observed.



C4 Storage, Handling and Segregation

Untreated waste was clearly segregated from product which had been produced on site. No issues were observed.

F1 Odour

No odours on site or outside of the site boundary.

F3Dust/fibres/particulates and litter

No dust on site, no litter outside of the site boundary.

F4 Pests/birds and scavengers

No vermin on site.

F5 Deposits on road

No deposits or mud on the road outside the site.

Kind Regards

Phil Harper

Industry and Waste Regulation Officer NW

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Please note any reference within the CAR/ permit to the Environment Agency means Natural Resources Wales.

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.

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.