

## Compliance Assessment Report CAR\_NRW0038979

**Permit being assessed:** BU7766IC.

For: Bryn Posteg Landfill , held by Sundorne Products (Llanidloes) Ltd

At: Bryn Posteg Landfill Site Tylwch Road , Llanidloes, Powys, SY18 6JJ.

**Type of assessment carried out:** Report/Data Review, Reason: Routine.

On 12/11/2021.

Parts of permit assessed: Review of Permanent capping works Construction Quality Assurance plan and Specification

**NRW Lead Officer:** Jamie Blythin.

**Report sent to:** David Williams , Technical Manager on 28/11/2021.

### 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	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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	Action 1- update the current CQA plan (Permanent Capping Works Construction Quality Assurance Plan and Specification Document Reference 3761.CAU.xx.xx.SP.Y.7700.A(4) October 2021) to a consolidated version which includes the amendments and actions proposed in the document 'Bryn Posteg Landfill, response to Compliance Assessment Report CAR_NRW0036942.'	05/01/2022

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.

**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

We have reviewed the following document 'Permanent Capping Works Construction Quality Assurance Plan and Specification Document Reference 3761.CAU.xx.xx.SP.Y.7700.A (4) October 2021' which was received by NRW 01.11.21.

It is noted that the Construction Quality Assurance (CQA) plan has been updated and Action 1 (CAR\_NRW0038756) has been completed. Section 3.1.2 (V) now states 'Placement of restoration soils to achieve a minimum thickness of 1m as per permit/ Waste Recovery Plan and 1.5 m in areas of tree planting.

Action 2 (CAR\_NRW0038756) has not been completed as the current CQA plan 'Permanent Capping Works Construction Quality Assurance Plan and Specification Document Reference 3761.CAU.xx.xx.SP.Y.7700.A (4) October 2021' has not been updated to a consolidated version which includes all of the amendments and actions proposed in the document 'Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942.'

At present, NRW cannot approve 'Permanent Capping Works Construction Quality Assurance Plan and Specification Document Reference 3761.CAU.xx.xx.SP.Y.7700.A (4) October 2021' until it has been updated to a consolidated version which includes the amendments and actions proposed in the document 'Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942.'

Action 1 (CAR\_NRW0038979)- update the current CQA plan (Permanent Capping Works Construction Quality Assurance Plan and Specification Document Reference 3761.CAU.xx.xx.SP.Y.7700.A(4) October 2021) to a consolidated version which includes the amendments and actions proposed in the document 'Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942.'

A list of the amendments and actions proposed in the document 'Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942.' which need to be consolidated are as follows:

### **(p1 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)**

*P6 The Employer should not have the powers to 'vary the design of the works during construction.' If site conditions dictate a revision to the design, this should be prepared by the designer (Caulmert) and submitted to NRW for review and acceptance prior to implementation.*

**To address this point it is proposed that the current section on Page 6 is revised to the following.**

**The Employer**

This is the person or Company for whom the Works are constructed. The Employer is the Permit holder for the landfill site (Sundorne Products (Llanidloes) Limited).

The Employer will manage the design aspects of the Works and to implement and administer the construction contract. The Employer will be responsible for all contractual matters relating to the Works.

If during construction, site conditions encountered necessitate the variation of the design, the design changes required will be prepared by the Designer and submitted to NRW by the Employer for review and acceptance prior to implementation.

**(p2 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)**

*P19 A CQA Validation Report should be prepared at the completion of the whole of the works if the works are undertaken in a single phase. Where the works are staged, a CQA report for each stage should be presented so that these details may be reviewed immediately after the works are undertaken.*

**To address this point it is proposed that section 1.14.1 on Page 19 is revised to the following.**

Upon completion of the Works or phases thereof, a CQA Validation Report shall be prepared by the CQA Consultant and forwarded to NRW in accordance with the requirements of the Permit. Where the works are carried out on a phased basis a CQA Validation Report shall be prepared upon completion of each individual phase so that the details of those phased works may be reviewed as soon as practicable. The Report will form a permanent record that the Works were constructed in accordance with this CQA Plan and Specification.

**(p2 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)**

*P22- Clause 2.1.3 prohibits the use of any industrial, commercial or domestic waste.*

**To provide clarity it is proposed that section 2.1.3 on Page 22 is revised to the following, with a modified point (v).**

**“Unsuitable material”** – shall mean material other than “suitable material” and shall include:

- i. Peat, material from swamps, marshes and bogs.
- ii. Logs, stumps and perishable material.
- iii. Material in a frozen condition or susceptible to spontaneous combustion.
- iv. Building rubble or non-ferrous material.
- v. Any waste material that does not meet the physical requirements of the Specification, are not suitable chemically, is not in agreement with the permit pre-operation conditions and or are placed without prior agreement of NRW .

- vi. Any material greater than 125mm in any dimension.
- vii. Fill material with a high moisture content which when compacted does not provide a firm foundation sufficient to permit the movement of vehicles without causing excessive rutting.
- viii. Clay material having a moisture content greater than the maximum or less than the minimum permitted for such material unless otherwise permitted by the CQA Engineer.
- ix. Clay of liquid limit exceeding 90% and/or plasticity index less than 10% and exceeding 65%. Materials of Class (viii) above if otherwise suitable shall be classified as suitable when wetted or dried sufficiently as appropriate.

**(P3 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)**

*P24 Clause 2.4.6 requires the lower protection layer to comprise materials meeting the requirement of Table 1. Table 1 describes a material grading with limits to particle sizes of 124mm, 60mm in the top 150mm and 30mm in contact with the geomembrane. the report is silent on how this is to be achieved.*

**The conformance testing and test frequency are detailed in Table 1. To provide clarity it is proposed that section 2.4.6 on Page 24 is revised to the following.**

Prior to compaction each layer shall be visually inspected by the CQA Engineer and all unsuitable material shall be removed by the Contractor and replaced with suitable material. The CQA Engineer shall carry out conformance testing (PSD Grading) at the frequency presented in Table 1 to verify that the placed fill meets the acceptance criteria detailed in Table 1.

**Table 1 (unchanged) is presented below for ease of reference.**

**Table 1 - Requirements for the Formation / Lower Protection Layer Fill Material**

Parameter	Test Method (BS 1377:1990:)	Acceptance Criteria	Testing Frequency
In situ Shear Strength (Hand Shear Vane) 1,2	Part 9 Test 4.4	>50 kPa	3 tests per day of placement
Formation Layer Thickness		>300mm	Survey and 50m grid by hand auger

<b>Formation Layer Material – Grading (PSD)</b>  Maximum particle size  Maximum Particle Size in the Top 150mm  Maximum particle size in contact with the geomembrane  Broad Particle Distribution  Particle Angularity	BS5930:1999	125mm	3 per hectare (1 per 1,000m <sup>3</sup> )	CQA Engineer; Visual inspection
		60mm	3 per hectare (1 per 1,000m <sup>3</sup> )	
		30mm	3 per hectare (1 per 1,000m <sup>3</sup> )	
		60% < 5mm	3 per hectare (1 per 1,000m <sup>3</sup> )	
		Rounded & Sub Rounded	3 per hectare (1 per 1,000m <sup>3</sup> )	

Formation Layer	1m Lath Test	+/- 10mm	3	per hectare (1 per 2,000m <sup>2</sup> ) Surface
	3m Lath Test	+/- 50mm		
<hr/>				
<b>Notes:</b> 1. One test shall comprise the average of three hand shear tests at each location. 2. In the event that the hand shear vane is not considered to be an appropriate test to determine the strength of the placed material the CQA Engineer shall assess the upper surface of the formation layer on the basis that it shall be suitable for the reception of the LLDPE capping geomembrane.				

**(P4 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)**

*P 24 Clause 2.5.2 indicates clays and subsoils will be used, but the grading requirements do not exclude the use of coarser soils.*

**The framework for assessing the suitability of materials is detailed in the document. However, to provide clarity it is proposed that section 2.5.2 on Page 26 is revised to the following.**

*Suitable formation / lower protection layer materials (which are likely to include clays, sub soils) in accordance with Table 1, will be compacted and rolled to facilitate placement of the LLDPE geomembrane capping liner directly onto it without causing damage or affecting the integrity and performance of the LLDPE.*

**(P4 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)**

*P30 The existing LLDPE may be retained if further testing proves it is suitable. It is noted that the current document provides different requirements to the CQA plan used to install these materials. The original CQA plan, against which the materials were compared, required the density to be 0.939g/cc  $\pm$  1%. The existing test data reveals that the density does not fall within this range. However, the current plan requires a density of <0.939g/cc with which the available data complies. Similarly, the original plan required OIT to be greater than 100 hours. The difference is not due to a misunderstanding but a change to the plan requirements. The same comment applies to Appendix 6, p4. The current plan reproduces requirements from LFE5 and is therefore acceptable, providing further testing reveals that the materials remain in accordance with Table 2 of the current plan.*

**To provide clarity it is proposed that the section on Page 30 is revised to the following.**

*It is noted that Geotechnology Limited have stated that the LLDPE failed to achieve the specification requirements in terms of density and OIT. Whilst Geotechnology were technically correct in that the LLDPE conformance test results failed to achieve the requirements in the original Enviroarm CQA Plan (Reference 2 below), Geotechnology did not identify or appreciate that those requirements in the original Enviroarm CQA Plan were erroneous and did not accord with the industry recognised specification presented in LFE5. A detailed explanation is presented in Appendix 6.*

**For consistency in line with the above revision, it is proposed that the relevant section on Page 4 of Appendix 6 is revised to the following.**

In accordance with LFE5 the density value used in an LLDPE specification should be a maximum value (Reference 1. Table 2 below) and not a minimum value as shown erroneously in the original Enviroarm CQA Plan (Reference 2 below). As stated by Geotechnology the reported results from the LLDPE conformance samples fail the erroneous minimum value criteria presented in the original Enviroarm CQA Plan (Reference 2 below). However, we note that these same results from the LLDPE conformance samples would pass the maximum value criteria which accords with LFE5, the LLDPE Technical Data Sheet (Reference 3 below) and the details in the current Caulmert CQA Plan.

The test value used in an LLDPE specification for a Standard OIT test should be 100 (in accordance with LFE5, the LLDPE Technical Data Sheet (Reference 3 below) and the details in the current Caulmert CQA Plan (Reference 1 below). The test value used in an LLDPE specification for a High Pressure OIT test should be 400 (in accordance with LFE5, the LLDPE Technical Data Sheet (Reference 3 below) and the details in the current Caulmert CQA Plan (Reference 1 below).

*In the Enviroarm CQA Plan (Reference 2 below) the test values for the Standard and High Pressure OIT tests have been mixed up in error. As stated by Geotechnology the reported results from the LLDPE conformance samples fail the erroneous test value criteria of '400' presented in the original Enviroarm CQA Plan (Reference 2 below). However, these same results from the LLDPE conformance samples would pass the correct test value criteria of '100' which accords with LFE5, the LLDPE Technical Data Sheet (Reference 3 below) and the details in the current Caulmert CQA Plan.*

When the LLDPE specification errors pertaining to the Enviroarm CQA Plan (Reference 2 below) are corrected to accord with LFE5, the LLDPE Technical Data Sheet (Reference 3 below) and the details in the current Caulmert CQA Plan, the results from the LLDPE conformance samples pass the correct test value criteria in the current CQA Plan and Specification.

Additional testing will be carried out as part of the inspection works to further assess the LLDPE.

#### **(P6 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)**

The following reference documents will be attached to Appendix 6.

##### **Reference 1.**

**Extract from the Environment Agency document 'LFE5 – Using geomembranes in landfill engineering' copied into the Caulmert, Construction Quality Assurance Plan and Specification for the Permanent Capping Works at the Bryn Posteg Landfill (Document Reference: 3761.CAU.XX.XX.SP.Y.7700.A(0) as Table 2**

Properties	Test method	Test Value			Testing frequency (minimum)
		1.0mm	1.25mm	1.50mm	
Thickness mils (min. ave.) • Lowest individual for 8 out of 10 values • Lowest individual for any of the 10 values	D 5994	Nom. (-5%) -10% -15%	Nom. (-5%) -10% -15%	Nom. (-5%) -10% -15%	per roll
Asperity Height mm (min, avg) (1)	GM 12	0.1	0.1	0.1	every 2 <sup>nd</sup> roll (2)
Density g/ml (max.)	D 1505/D 792	0.939	0.939	0.939	90,000 kg
Tensile properties (3) (min, avg) • Break strength – N/mm • Break elongation - %	D 6693 Type IV	11 250	13 250	16 250	90,000 kg
2% Modulus – N/mm (max.)	D 5323	420	520	630	per formulation
Tear resistance – N (min, avg)	D 1004	100	120	150	20,000kg
Puncture Resistance – N (min, avg)	D 4833	200	250	300	20,000kg
Axi – Symmetric Break Resistance Strain - % (min)	D 5617	30	30	30	per formulation
Carbon Black Content - %	D 1603 (4)	2.0-3.0	2.0-3.0	2.0-3.0	20,000kg
Carbon Black Dispersion	D 5596	note (5)	note (5)	note (5)	20,000kg
Oxidative Induction Time (OIT) (min, avg) (6) (a) Standard OIT - or - (b) High pressure OIT	D 3895 D 5885	100 400	100 400	100 400	90,000 kg
Oven Aging at 80°C (7) (a) Standard OIT (min, avg) - % retained after 90 days - or - (b) High pressure OIT (min, avg) - % retained after 90 days	D 5721 D 3895 D 5885	35 60	35 60	35 60	per formulation
UV Resistance (8) (a) Standard OIT (min, avg) - or - (b) High Pressure OIT (min, avg) - % retained after 1600 hrs (10)	D 3895 D 5885	N. R. (9) 35	N. R. (9) 35	N. R. (9) 35	per formulation

**Table 2 - 1mm LLDPE (Textured) Capping Geomembrane Material Manufacturer's Quality Control Requirements**



**Reference 2.**

Extract from Table 1 - Properties of 1.0mm LLDPE Geomembrane presented in the Enviroarm Limited document; Construction Quality Assurance Plan Construction Quality Assurance Plan Phase 2: Phase 9b And Outer Flanks of 9C and 9D.1 (Revision 2) Capping Construction Works.

Ref ARM/EL/BPLF/CQAP/2.00/2017

PARAMETER	TEST METHOD	VALUE	
		Smooth	Textured


Density (g/ml)	D1505A /D792	0.939+/- 1%.
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	<b>Oxidative Induction Time</b> a. <b>Standard OIT</b> b. <b>High Pressure OIT</b>	D3895 D5885	10 0 10 0	400 400	
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### Reference 3.

Extract from the Solmax Technical Data Sheet for 1mm LLDPE

 <b>SOLMAX</b>		<b>TECHNICAL DATA SHEET</b> LLDPE Series, 1.00 mm Black, Textured		
2801 Boul. Marie-Victorin Varennes, Quebec Canada J3X 1P7 Tel: (450) 929-1234 Sales: (450) 929-2544 Toll free in North America: 1-800-571-3904 www.solmax.com www.solmax.com				
PROPERTY	TEST METHOD	FREQUENCY <sup>(a)</sup>	UNIT Metric	
<b>SPECIFICATIONS</b>				
Nominal Thickness		-	mm	1.00
Thickness (min. avg.)	ASTM D5994	Every roll	mm	0.95
Lowest ind. for 8 out of 10 values			mm	0.90
Lowest ind. for 10 out of 10 values			mm	0.85
Asperity Height (min. avg.) (3)	ASTM D7466	Every roll	mm	0.4
Melt Index - 190/2.16 (max.)	ASTM D1238	1/Batch	g/10 min	1.0
Sheet Density (8)	ASTM D792	Every 10 rolls	g/cc	≤ 0.939
Carbon Black Content	ASTM D4218	Every 2 rolls	%	2.0 - 3.0
Carbon Black Dispersion	ASTM D5596	Every 10 rolls	Category	Cat. 1 / Cat. 2
OIT - standard (avg.)	ASTM D3895	1/Batch	min	100

### (P7 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)

*P32 Clause 4.1.1 requires adjacent panels to be welded with double seam fusion welds, yet clause 4.10.9 permits the use of extrusion welded cap strips to failed seams. This would be consistent if capping strips were excluded and a replacement strip was fusion welded into place so that it could also be tested and verified using APT.*

**To provide clarity it is proposed that section 4.4.4 on Page 32 is revised to the following.**

The capping geomembrane shall be (double rough) 1mm thick LLDPE (Textured) manufactured from virgin resin and shall contain no fillers, plasticisers or additives other than carbon black and shall meet the requirements of Table 2. Adjacent panels shall be overlapped and welded with double seam fusion welds. If a seam fails a destructive test or an air pressure test the failed seam or parts thereof shall be remediated as detailed in section 4 below.

**(P8 Bryn Posteg Landfill, response to Compliance Assessment Report CAR\_NRW0036942)**

*P43 The proposal to retain fabric that does not meet the original plan requirement of 4kN has been made on the basis that a calculation has shown 3kN to be adequate. The calculation provided in Appendix 4 appears to use the specification of the Lower Protection Layer (i.e. the soils beneath not above the barrier membrane) which sits in intimate contact with the barrier membrane without any protective textile. Table 6 provides the specification for the Upper Protection Layer as 100% passes 125mm. The CBR requirements for the existing protective geotextile (and the proposed GDL) should be recalculated for the proposed upper restoration soil layer.*

We confirm that the original Enviroarm CQA Plan requirement of 4kN has not been met by the HPS3 protection geotextile deployed on site as part of the previous capping works. We have previously stated that a 3kN requirement is adequate for the purpose of protecting the geomembrane and that the HPS3 protection geotextile deployed previously meets the 3kN requirement which is proposed in the Caulmert CQA Plan.

In accordance with your comments we have recalculated the factor of safety pertaining to puncture resistance using the 125mm particle size specified in Table 6 for the upper restoration soil. The results of our calculations are presented below for reference and shall replace the previous calculation details presented in Appendix 4.

On the basis of the puncture resistance calculations it is concluded that the factor of safety against puncture resistance failure exceeds 72 without plant loading being considered and in excess of 27 when plant loading is taken into consideration. On the basis of these results the 3kN specification is considered to be acceptable.

To provide clarity it is proposed that the following recalculated puncture resistance calculation is presented in Appendix 4 of the CQA Plan.

GEOTEXTILE DESIGN: PUNCTURE RESISTANCE	
Calculated without plant loading taken into consideration Based on R. M. Koerner's "Designing with Geosynthetics" p155	
Input Data No Plant loading	Bryn Posteg Landfill

Maximum stone diameter	$d_a$	0.125	m
Protrusion height	$h_h$	0.0625	m
Probe diameter	$d_{probe}$	0.008	m
Ap/Ac for crushed rock		0.4	
Depth of waste / soils	H	2	m
Unit weight of waste	g	17	kN/m <sup>3</sup>
Applied pressure	$p'$	34	kN/m <sup>3</sup>
<b><u>Factors</u></b>			
$S_1 = h_h/d_a$	=	0.50	
$S_2 = d_{probe}/d_a$	=	0.06	
$S_3 = 1-Ap/Ac$	=	0.60	
<b><u>Reduction Factors for:</u></b>			

Installation damage	$RF_{ID}$	1.5	creep $RF_{CR}$	1.5
Chemical degradation	$RF_{CD}$	1.5		
Biologocial degradation	$RF_{BD}$	1.2		
Cumulative reduction factor	RF	4.05		
<b><u>Calculation</u></b>				
$F_{reqd} = p'd_a S_1 S_2 S_3$				
$F_{reqd} = 10.20 \text{ N}$				
To determine the factor of safety for the proposed geotextile as folows:				
$F_s = \frac{F_{allow}}{F_{reqd}}$				
where $F_{allow} = \frac{F_{ult}}{RF}$				
Puncture Strength of proposed geotextile <span style="border: 1px solid black; padding: 2px;">3000</span> N (ASTM D4833)				
$F_{allow} = 741 \text{ N}$				

		Fs	=	ACCEPTABLE	
		72.62			

To provide clarity it is proposed that the following recalculated puncture resistance calculation is presented in Appendix 4 of the CQA Plan.

GEOTEXTILE DESIGN: PUNCTURE RESISTANCE

Calculated with plant loading taken into consideration  
Based on R. M. Koerner's "Designing with Geosynthetics" p155

<u>Input Data</u>		Bryn Posteg	
Landfill			
Plant loading		55.56 kN/m3	
Maximum stone diameter	da	0.125 m	Protrusion height hh
0.0625 m			
Probe diameter	dprobe	0.008	m
Ap/Ac for crushed rock		0.4	
Depth of waste / soil	H	2	m
Unit weight of waste	g	17	kN/m3
Applied pressure	p'	89.56	kN/m3
<u>Factors</u>			

S1 = hh/da	=	0.50
S2 = dprobe/da	=	0.06
S3 = 1-Ap/Ac	=	0.60
<u>Reduction Factors for:</u>		
Installation damage	RFID	1.5
creep	RFcr	1.5
Chemical degradation	RFCD	1.5
Biologocial degradation	RFBD	1.2
Cumulative reduction factor	RF	4.05
<u>Calculation</u>		



**This is common design practice in the industry and has been accepted by NRW, SEPA and the EA across the UK.**

**In addition to the CQA Plan revisions noted above a further revision is proposed due to a typographical error identified in section 7.1.2. To provide clarity and consistency with Table 6 it is proposed that section 7.1.2 on Page 57 is revised to the following. It is noted that no change to Table 6 is proposed.**

The maximum allowable particle size of the upper protection layer shall be 125mm. The specification for the upper protection layer is presented in Table No.6. Additional testing may be required in relation to placed strength and as such hand shear vane tests may be required. The additional testing shall be in accordance with the requirements of the Waste Recovery Plan for Restoration.

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](mailto: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](mailto: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.