

## Compliance Assessment Report CAR\_NRW0039037

**Permit being assessed:** GP3830BG.

For: Chirk Landfill Site EPR/GP3830BG, held by FCC Waste Services (UK) Limited

At: Pen-y-Bont Works , Chirk, WREXHAM, Clwyd, LL14 5AR.

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

On 19/11/2021 between 10:00 and 14:15.

Parts of permit assessed: Various

**NRW Lead Officer:** Stuart Ross, accompanied by Paul Challender.

**Report sent to:** Colin Shaw, Site Manager on 13/12/2021.

### 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 | C3 Minor          | 1.1              |
| E1 - Emissions - Air                                                      | Assessed (A)      |                  |
| F1 - Amenity - Odour                                                      | Assessed (A)      |                  |
| B5 - Infrastructure - Plant and equipment                                 | Assessed (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 |
|----------|--------------------------------------------------------|-------------|
| B1       | Refer details section. Various actions and timescales. | 28/02/2022  |

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

This compliance assessment report follows a routine site inspection covering a walkover of capped areas, landfill gas and leachate collection infrastructure and surface water lagoons.

### **Landfill Gas Collection Infrastructure**

During the inspection landfill features were surveyed for fugitive methane emissions using a calibrated Gazomat Inspectra TDL - no significant emissions were detected.

Gas wells and connecting pipework were generally in good condition with only a small number of minor issues identified that were rectified at the time of the inspection.

One of the two gas engines was operational owing to reduced LFG yields, currently 400m<sup>3</sup>/hr.

It was observed that perimeter well BH07 did not benefit from a gas tight seal owing to use of generic plastic end cap, however it is noted that this well is a groundwater monitoring point only - no action required.

### **Leachate Collection and Storage Infrastructure**

Improved ventilation has been installed on the leachate collection system air compressor container to remediate overheating and tripping issues. Conditions inside the container were relatively cool. The compressor reportedly benefits from a quarterly service schedule completed by a third party contractor.

Leachate collection sumps were fitted with pneumatic pumps with the exception of LC1D that is the sole electrically pumped well.

Contractors have been appointed to desilt LC1D to allow the pump to reduce the leachate head below 43mAOD. The contractors have been delayed due to issues with the desilting rig/vehicle that has led to ongoing compliance issues in this well (refer monitoring review for Q1, 2 and 3 for more detail).

The leachate collection tanks adjacent to the LFG compound 'bottom tanks' are now redundant with all leachate now being pumped directly to the two 'top tanks' by the site weighbridge.

The redundant tanks have not yet been cleaned to remove any residual leachate and sediments and this requires attention to remove the potential pollution risk. Whilst the tanks are contained within a lined earth bund, as noted in previous inspection reports the integrity of the bund is difficult to determine.

**Action 1** - FCC to provide NRW with a decommissioning plan to ensure the 'bottom' tanks do not pose a pollution risk, please do so by 28/02/22.

The top tanks (2x 60,000 litres) are bunded, one of concrete block construction and the

other of steel. The tank bunds are connected by a HDPE pipe, and through this pipe also runs a smaller diameter hose that connects the leachate tanks themselves such that leachate from the receiving tank flows into the second that is the tanker take off point.

The tanks benefit from level control that shuts off the leachate collection system when the tanks are full. Tank level telemetry can be accessed remotely by site personnel.

The steel bund is corroded and in places its base is not visible due to presence of a shallow layer of liquid and detritus that has accumulated over time. Additionally the integrity of the two steel tanks has not been assessed by FCC e.g. by non destructive thickness testing, and this does not form part of a planned preventative maintenance regime on site.

It was also apparent that there was an insufficient level of understanding regarding the maintenance and inspection regime for the tanks and bunds. A tanker driver was witnessed collecting leachate but not reversing the tanker take off point above the concrete bunded drip tray. The driver was prompted by FCC staff to move the vehicle.

The above deficiencies are in breach of permit condition 1.1 and attract a non compliance score of 3.

**Action 2** - FCC to assess the integrity of both the primary and secondary containment measures for the 'top' leachate tanks and where deficiencies are identified provide NRW with a program of works to ensure leachate storage agreements are to an acceptable standard. Suitable guidance includes CIRIA Guidance note C736. Please provide your assessment to NRW, along with proposed remedial measures by 28/02/22.

**Action 3** - FCC to implement a documented planned preventative maintenance regime for the 'top' tanks primary and secondary containment measures, associated infrastructure and control systems (e.g. connecting pipe work and level control). Provide NRW with a summary overview of the steps taken to meet this action by 31/01/22.

**Action 4** - Ensure tanker drivers are trained and follow FCC's procedure for tank off loading and associated pollution prevention measures. Provide NRW with the offloading procedure and training records by 31/01/21.

Sump 1 - compressed air leak was identified from within the chamber, this was highlighted to the operator and remediated during the inspection.

Sump 2 - the well head rubber seal/boot had become detached from the well, possibly due to a sudden increase in compressed air pressure when the compressor was restarted whilst on site, methane was detected at the well head. The operator was in the process of remediating issues.

### **Other Observations**

Glycol / liquids stored within the wheel wash pump room that is due for demolition.

**Action 5** - Relocate liquids to area of intended use with suitable containment .

### **Waste**

A skip was present on site that appeared to have been in position for some time, present in the skip were items that may be considered household waste .e.g vacuum cleaner. Please ensure that waste is not brought to site for disposal, the skip should only contain waste generated on site.

It is recommended that the skip is removed from site to a suitably permitted facility.

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.