

Compliance Assessment Report

Report ID:
CAR_NRW0035571

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

Site	Astbury (Rossett) Landfill	Permit Ref	FP3894FP		
Operator/Permit holder	W R G Environmental Ltd				
Regime	Waste Operations				
Date of assessment	13/08/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	See below				
Lead officer's name	Challender, Paul				
Accompanied by					
Recipient's name/position	Matthew Green/ Compliance Advisor	Date issued	13/08/2019		

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
B2 - Infrastructure - Closure and decommissioning	A	
E1 - Emissions - Air	A	
E2 - Emissions - Land and groundwater	C3	Permit Condition 2.8.1, Table S3.1
F1 - Amenity - Odour	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

This Compliance Assessment Report (CAR) has been written to assess the report and data submitted to Natural Resources Wales (NRW) in the Quarterly Monitoring Report April 2019 to June 2019 as required by permit condition 4.2.3. Schedule 5 notifications submitted during this reporting period are also discussed. In addition, actions arising from the previous CAR form (CAR_NRW0035337) that are considered complete are addressed. All other unaddressed actions arising in CAR_NRW0035337 are still required to be complied with by the timescales as stated in that CAR form.

Section 2.0 External Landfill Gas Monitoring

Previously, methane concentrations in excess of 1%v/v were reported in last year's annual report. A continued reduction in migrating gas was observed and reported, with only one borehole indicating a methane concentration in excess of 1%v/v reported in the Q1 report. The operator had attributed this reduction in gas emissions to pre-definite closure works conducted on the gas extraction system and flare during this reporting period.

The data in the Q2 report indicates that there were no recorded instances of methane concentrations exceeding 1%v/v at any bore hole and therefore a continued improvement in the management of migrating gases at the site.

Section 3.1 Groundwater Quality

An action was placed on the operator in CAR_NRW0035337 to address the discrepancy in the number of monitored bore holes as reported in the Annual and Q1 reports. This action has been addressed in the submitted Q2 Quarterly Monitoring Report. The clarification identifies that the number of monitored bore holes is 17 and these are identified as: CABH03, CABH4R, CABH07, CABH01, CABH05, CABH06, BH2A, BH3, BH4A, BH5A, BH6A, BH02B, BH04B, BH06B, BH5B, CABH02 and CABH08.

Samples could only be obtained from 7 of the 17 bore holes due to having insufficient water to sample or being completely dry. Again as previously identified, only the downstream bore holes BH06B and CABH06 indicate chloride levels in excess of the 250mg/l standard for drinking water.

Section 3.2 Groundwater Levels

Reported - no issues identified.

Section 3.3 Surface Water Quality

Reported - no issues identified.

Section 4.1 Leachate Quality

Leachate quality is not required to be reported on a quarterly basis and as such no data is provided.

Section 4.2 Leachate Levels

Leachate levels are required by the permit to be maintained at a level that does not exceed 70.50mAOD within the Astbury Landfill Site. This limit is set to ensure containment of leachate within the confines of the landfill to prevent contamination of the surrounding groundwater. This limit was breached in the quarter for April 2019 to June 2019 and reported to NRW by a Schedule notification at LC3A, LC3C, LC4A, LC4B, LC4C and LC5A. It is acknowledged that the locality has received very high acute precipitation during the reporting period.

The breach in leachate levels has generated the below CCS score:

- (E2) Emissions - Land. Permit Condition 2.8.1, Table S3.1. CCS Score 3.

Action - tankering operations should be conducted in a manner to mitigate against rises in leachate levels due to

forecast adverse weather conditions.

Section 5.1 Flare

Monitoring data indicates a continued improvement and maintenance of gas quality at the flare as a result of the improvement works and the alterations reported regarding the gas balancing regime.

Section 5.2 In Waste Gas Quality

In-waste gas quality data was submitted with the report. This data indicates continued readings in excess of 5%v/v for oxygen at various points across the gas field. Therefore, attention should be given to the previously issued action for in-waste gas quality in CAR_NRW0035337 and reported in the next quarterly report.

The previously submitted Annual Performance Report failed to detail the results of landfill gas surface emission surveys. This survey had in-fact been conduct however, the results had not been appended to the Annual Performance Report as required. The commissioned Flux Box Survey report for this parameter has since been submitted to NRW for consideration and the action to: *Submit the results of landfill surface gas emissions of the permanently capped area as specified by Table S3.6 to NRW in the Quarterly Environmental Monitoring Report for April 2019 to June 2019.* is considered closed.

Thank you for the submission of the monitoring data and its associated report.

Kind Regards,

Paul Challender - NE Waste Regulation Team.

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.

EPR Compliance Assessment Report

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Operator/Permit holder	W R G Environmental Ltd	Date	13/08/2019

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.

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			
E2	C3	Tankering operations should be conducted in a manner to mitigate against rises in leachate levels due to forecast adverse weather conditions.	28/10/2019

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.