

Compliance Assessment Report

Report ID:
CAR_NRW0000019

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

Site	Palleg Landfill Phase II EPR/BT1908IX		Permit Ref	BT1908IX		
Operator/Permit holder	JLA Disposal Limited					
Regime	Installations					
Date of assessment	25/02/2016		Time in	11:00	Out	15:15
Assessment type	Site Inspection					
Parts of the permit assessed	See below					
Lead officer's name	Ward, Tyrone					
Accompanied by						
Recipient's name/position	John Adams/ Director		Date issued	23/03/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	X	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	X	
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling, labelling and Segregation	C3	2.3.1
D1 - Incident Management - Site security	A	
E5 - Emissions - Waste	A	
F1 - Amenity - Odour	X	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates/litter	A	
F4 - Amenity - Pests/birds/scavengers	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to the Environment Agency	C4	4.3

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	4.1
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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

Site meeting and inspection 25th Feb 16

JLA have proposed a revised SWMS design. This consists of a balancing and settlement lagoon supplemented by HydroBlox technology (Naylor Environmental) Four further sets of sampling and under a variety of conditions will be carried out for comparison with S5 criteria.

Subject to the Blox performance and agreeing the overall design; the SWMP will need to be amended, this may be done by letter and revised drawing.

JLA will provide an up to date as built drawing, including specification annotations.

We discussed Site phasing and development. In order this will be: - completion of the SWMS, re-profiling and capping of cell1, re-profiling of cell2 for vehicle access, with commencement of valley infill (using site-excavated clay from cell5 prep) at the southern end. The over-tipped cell1 wastes will be placed into cell4 during this work.

JLA to provide a construction plan for this summer confirming these details.

Since 1st Oct 15 NRW have received seven odour complaints. NRW to notify the operator as soon as possible so that the complaint can be investigated promptly. We discussed potential odour sources and mitigation measures, these include:-

- Leachate rodding point(s) to LDB and other infrastructure – ensure all open points are identified and sealed.
- In-waste gas monitoring points – we discussed low-flow flaring applications fitted to wellheads, operator to investigate further e.g. Organics trial.
- Improve daily and intermediate cover to flanks and surfaces (using thin soils and clay, etc.)
- Ensure timely capping of completed cells asap (such as sub cell1 as detailed above)

Site inspection

Work has commenced on construction of the surface water management system. This will comprise the pumping of water collected from the low point to a balancing lagoon prior to settlement and polishing in two HydroBlox under a gravity fall. Further trialling is required for testing and performance, including comparison to S5 criteria. There is provision in the system to add further blocks as required, in order to meet the permitted limits.

Cell 4 filling in progress. There are large flank areas where daily / intermediate cover **is entirely absent and needs to be placed as a priority**. Considered CCS3. We also discussed the leachate rodding eye to LDB as a potential source of odour.

No progress on cell 1/2 re-profiling or valley in-fill (relates to prior construction of surface water management system; see above) The current vehicular tipping access to cell 4 is via cell 1, though this will be revised as the phasing develops.

Site roads in are in a wet condition following the prolonged period of rain. JLA to maintain the access tracks as practicable.

Inspection of leachate storage tank (capacity 28,800L). The tank is in a temporary position outside of the

permit boundary, and on an uncontained area.

JLA to review and submit improved arrangements for the small diesel pump and associated containers. The following provides good practice:-

http://www.netregs.org.uk/library_of_topics/pollution_prevention_guides.aspx

PPG26 Safe storage for drums and intermediate containers.

In order to regularise the activity, JLA/NRW to consider permit variation at next suitable opportunity.

Inspection of in-waste leachate and gas monitoring points. GA1 is deflected and may be damaged/blocked. GA2 is situated in a cone of depression which requires placement of suitable fill to ground level to improve safety. JLA to complete this work before end of working day. Discussion on suitability of low flow flaring applications.

Hydrogen sulphide survey

Perimeter survey outside the site boundary undertaken in relation to odour complaints:-

Date taken	Monitor ID (with approx. NGR)	H2S (ppm)	Comments
			Jerome J605 SN 00116
			Weather - overcast, dry, cold

				Wind speed - <1m/sec Direction - tbc
25/02/16	1	Site entrance SN 77284 11555	0	No odour detected
	2	Layby (opposite dividing valley feature between old tip/coal yard) SN77351 11483	1.065 1.392 1.209	No odour detected
	3	Telegraph pole with a red marker (opposite screening bund end of coal yard) SN77448 11422	0	No odour detected
	4	Telegraph pole (40m from road corner) SN77448 11404	0	Slight transient odour
	5	Telegraph pole (on road corner) SN77511 11381	0	Slight odour
	6	Crossroad to shot blasting business SN77519 11311	0	Slight odour
	7	Field gate at top of hill (SE corner of permitted site) SN77509 11267	1.03 1.927	Slight to moderate odour
	8	50m down road from point 7 above SN77474 11215	0	No odour detected

Monitoring data - Q3 and Q4

Perimeter breaches in GA8 considered CCS4 – no impact. Schedule 6 provided.

Annual Report 2015 received and reviewed.

Leachate levels reported to be within permitted limits.

Groundwater results - discussion including previous breaches in downgradient monitoring point GW4.
Recommendations provided.

Landfill gas - discussion including previous breach in perimeter monitoring point GA8 for methane.

Waste returns

Q4 landfill data received and reviewed.

EPR Compliance Assessment Report

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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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
C4	C3	See section 2	11/04/2016
B4	X	see section 2 text	01/06/2016
B1	X	See section 2 text	01/06/2016
G4	C4	not considered to relate to disposal operations	11/04/2016
F1	X	see section 2	11/04/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.