

Compliance Assessment Report

Report ID:
CAR_NRW0017500

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	28/07/2016	Time in	11:00	Out	14:00
Assessment type	Report/Data Review				
Parts of the permit assessed	See below				
Lead officer's name	Ward, Tyrone				
Accompanied by					
Recipient's name/position	John Adams/ Director	Date issued	24/08/2016		

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
A1 - Infrastructure - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	2.3.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - Infrastructure - Staff competency/training	A	
C3 - Infrastructure - Materials acceptance	A	
D1 - Infrastructure - Site security	A	
E2 - Infrastructure - Land and groundwater	C4	3.2.3
F1 - Infrastructure - Odour	C4	3.4.1
F2 - Infrastructure - Noise	A	
F3 - Infrastructure - Dust/fibres/particulates and litter	A	
F4 - Infrastructure - Pests/birds and scavengers	A	
F5 - Infrastructure - Deposits on road	A	
G1 - Infrastructure - Monitoring of emissions and environment	C4	3.6.1

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	4	Total compliance score (see section 5 for scoring scheme)	4.3
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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

Monitoring data

Q1 and Q2 monitoring data received and reviewed for Leachate, Groundwater and Landfill gas

Groundwater - small breach noted in up-gradient monitoring point GW8 of zinc considered CCS4 in Q1 data. Sch6 Notification provided, consideration for resampling/checking result before the next reporting period.

Q2 monitoring - no result reported from GW4 and GW6 on 27th June - please confirm if this is due to current raising of headwork's and accessibility?

Leachate level reported as compliant. Volumes removed by tanker provided as part of waste return.

Landfill gas - breach reported in perimeter monitoring points GA8 and GA9 in Q1 data. Sch6 notifications provided, considered CCS4.

Site meeting and inspection 28 July

1. Update on Hydroblox system

Performance and test results have been mixed; so a further 2 blox will be provided. In addition a third settlement lagoon is being considered to reduce flows. Problems relate to blox silting up due to very fine clay held in suspension. A flocculant is also being trialled. NRW have also provided advice (see email dated 22nd August)

2. Update on Summer Construction Plan

Construction Plan provided on 26th May for improving compliance (ref 1582r1v1d0316 Fig1)

Cell1 trimming is complete. JLA clarified that the clay laid so far during the inspection is only to cover exposed waste and give an uniform layer prior to capping. Further work will include completing the perimeter access track. Capping and restoration will be carried out using the clay excavated from cell 5 under CQA from Geotechnology (see report 1176r1v1d0312, sections 2.3 and 9)

As part of works completed, access to sampling points GA1 and GA2 has also been improved (see photos)

However no work as yet for the placement of min 250mm clay cover to Cell4 southern slope. **This is considered a priority** and a non-compliance CCS3. Action JLA to improve cover as soon as moisture conditions allow (relates to handling and placement of clay from Cell5 formation)

3. Waste inputs and site development - brief discussion on waste inputs and intentions going forward. Cell 5 CQA Plan has been re-submitted on 28th July 16 to NRW for review.

4. TFS questionnaire completed.

5. Review of complaints - None received since May.

We discussed importance of proactive management and monitoring (including sealing of pipework and other features) Odour detected on public road outside perimeter considered no impact.

Waste returns

Q1 and Q2 landfill data received and reviewed.

EPR Compliance Assessment Report

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Operator/Permit holder	JLA Disposal Limited	Date	28/07/2016

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	C4	Resample/check prior to next reporting period	01/07/2016
B1	C3	Improve operations	31/08/2016
F1	C4	Improve operations and infrastructure	31/08/2016
G1	C4	Keep GA9 under review	28/10/2016

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 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.