

Compliance Assessment Report

Report ID:
CAR_NRW0032719

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	12/01/2018	Time in	11:15	Out	12:15
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	See below				
Lead officer's name	Ward, Tyrone				
Accompanied by					
Recipient's name/position	John Adams/ Director	Date issued	12/03/2018		

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 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.3.1
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	2.3.1
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4	3.1.2

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	3	Total compliance score (see section 5 for scoring scheme)	8.1
-----------------------------	---	--	-----

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

Odour monitoring survey 12th Jan

Survey carried out in response to recent complaints.

1. Off-site community monitoring locations - Jerome H2S results all recorded background values; and no landfill gas odour detected. Still weather conditions were noted throughout the survey. At the site boundaries, no off-site odour was detected during visit. A slight south easterly breeze was developing by 11:15 Recommendation to i) continue using the Gas Monitors and Thermal Imaging to identify issues as appropriate, and ii) cover the remaining ~20m of cell 4 south flank as soon as possible.
2. On site, sub cell5 now has a steep north flank which has created an enclosed adjoining area. Under certain conditions this may become a confined space. Staff and contractors are advised to avoid entering the area in cold still conditions, when H2S levels could accumulate.

Site inspection 12th Jan - other items

1. Reprofiling - whilst the compactor was down during inspection, noted void space is filling quickly. Please provide update on Option 1 (Regrade as part of next cell) or Option 2 (Planning app for height increase) etc.
2. Work to extend leachate risers complete – please forward CQA validation report as soon as practicable.
3. SWMS – disappointing that the actions from previous CAR forms have not been carried out, as improvements won't cost a great deal to put in place. Please can JLA offer an explanation?

We have also discussed use of flocculants.

4. Permit Reviews – we will be undertaking a review and consolidation of landfill permits over next 12-18 months. Operators will receive a letter with further details in the next week or so.

Minor quantities of windblown litter in the southern ditch and area adjacent to final surface water lagoon - please collect as soon as practicable.

Minor debris on public road attributable to recent surface water ditch clearing/maintenance (PCC Highways)

The following was provided by JLA in relation to items 1-4 on 22nd Jan.

1. We are organising a meeting between Arwel (Geotech) and Laura (CCC) to move forward, Laura has indicated that planning are not too concerned over profile only finished height. Will advise on meeting.
2. Will request from Geotech.
3. Awaiting final quotes for pipes and headstocks, if not forthcoming this week will order locally. Work will be completed by end January. Will send photos when complete.

4. Not yet received letter.

NRW and JLA have since discussed permit reviews and broad timescales etc.

Monitoring data

Q3 and Q4 data received for *landfill gas* (Sch6 for GA8 previously provided) non compliance considered no impact.

2017 Annual Report received and reviewed:-

1.1 - Intentions for Sub cell 6 noted, along with commentary in relation to improving SWMS.

3.1.3 - Please provide CQA Validation Report as soon as practicable (see above)

5.5 - Actions noted and agreed.

Table 6.1 - Remaining capacity commentary noted 'An addendum to this report will be produced that summarises the capacity remaining based on the latest survey in February 2018'.

This figure has since been provided as part of the Q4 waste return.

9.1 - Non completion of SWMS is on-going, and scored previously.

12.2 - Actions noted and agreed, *this should also include 9.1 SWMS as a priority.*

Waste returns

Q4 data received and reviewed.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032719**

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	Date	12/01/2018

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			
B3	C3	Further improvements required to infrastructure, see main text and previous CARs	28/02/2018
C2	C3	Refer to main text with Operating procedures that need to be put into place for SWMS	28/02/2018
G1	C4	Continue monitoring, Refer to AER.	30/03/2018

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.