

Compliance Assessment Report

Report ID:
CAR_NRW0033674

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

Site	Trecatti Landfill	Permit Ref	RP3733PC		
Operator/Permit holder	Biffa Waste Services Ltd				
Regime	Installations				
Date of assessment	07/06/2018	Time in	10:00	Out	14:00
Assessment type	Audit				
Parts of the permit assessed	Leachate, general operation				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Simon Milford/ Site Manager	Date issued	24/07/2018		

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
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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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Biffa Trecatti Site – permit RP3733PC

Site Inspection 7th June 2018

Present; Simon Milford (Site Manager), Hannah Clifford (Biffa technical Manager) Richard Taylor (NRW site Officer).

Issue	Discussion	Action
1. The site was visually inspected.	The site was found to be free from excessive bird nuisance, noise, dust, windblown litter and odour.	No action.
2. Leachate / Surface water and Groundwater sample storage. The samples are collected within 24 hours of taking, but are stored in a non-refrigerated container prior to collection. This contravenes both the Environment Agency/NRW guidance M18, as well as the 'guidance for monitoring landfill leachate, groundwater and surface water' (Available on the GOV.UK website) at section 9.11.3 where the samples ideally should be kept at between 2 and 4 deg C so as to preserve the sample in its representative form prior to lab analysis.	To be clear, the guidance is not fully aligned. The M18 guidance requires storage to be 5 deg c +/- 3 deg (best fit for all determinands) whereas the more specialist sector guidance requires samples to be stored at between 2-4 Deg C and no more than 12 deg C with sample collection in a temperature controlled vehicle within 24 hours.	1. Improvement action – re-establish refrigeration of samples by installing a dedicated fridge as soon as practicably possible. 2. Establish checks on the temperature inside the fridge to maintain the optimum 2-4 deg C. 3. Audit your collection courier to ensure samples are delivered to the lab within the timescale and in a temperature range of 5 deg C +/- 3 in accordance with M18 guidance at section 5.5 as a minimum. 4. Train and familiarise site staff on sample handling procedures and the deterioration rates of specific substances detailed in

		M18 section 5.5. 5. Check and update the management system to include these improvements. 6. An update on progress will be requested at the next site inspection due August 2018.
A previous site meeting also took place on 10th Apr 18 and 25th April 2018.	The early visit was mainly to introduce the newly formed team for landfill tax to the site as a familiarisation exercise. Nevertheless, the site was visually inspected on this date and found to be fully compliant. The latter inspection was called to outline plans for the new soil treatment facility. The facility had been previously granted a permit variation.	No further action -ongoing process of assessment. Several issues were discussed and answered with no issues thought to prevent the continuation of the scheme. NRW are satisfied with the long term contractual relationship between Biffa and its partner in this venture.
Site Billing query	Site require a derogation on their annual subsistence fee so that it is aligned to the tax year rather than the calendar year.	This was agreed because this was the system in place prior to the new NRW Officer taking over the role. Any change to calendar year billing would skew the continuity of the site performance despite this being counter to NRW routine. Therefore it was agreed to keep the site billing as a calendar year for continuity purposes.
Remaining capacity	Site accepted 68,000m3 during July 16-17 with a calculated remaining capacity 5,961,000m3.	Ongoing.
Next Site Inspection	Suggested date	Weds 29th August. Items – Waste Classification audit (application of EWC codes etc)

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End

EPR Compliance Assessment Report

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Operator/Permit holder	Biffa Waste Services Ltd	Date	07/06/2018

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			

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.