

Compliance Assessment Report

Report ID:
CAR_NRW0018568

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

Site	Lamby Way Landfill Site EPR/JP3239ST	Permit Ref	JP3239ST			
Operator/Permit holder	The County Council of the City and County of cardiff					
Regime	Installations					
Date of assessment	08/06/2016	Time in	14:00	Out	16:30	
Assessment type	Report/Data Review					
Parts of the permit assessed	See below					
Lead officer's name	Ward, Tyrone					
Accompanied by	Stanley, Peter					
Recipient's name/position	Gareth Ffoulkes/ Landfill & Aftercare Manager	Date issued	29/07/2016			

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
C1 - Infrastructure - Staff competency/training	A	
C3 - Infrastructure - Materials acceptance	A	
D1 - Infrastructure - Site security	A	
E2 - Infrastructure - Land and groundwater	A	
E3 - Infrastructure - Surface water	O	3.1.2
F4 - Infrastructure - Pests/birds and scavengers	A	
F5 - Infrastructure - Deposits on road	A	
G1 - Infrastructure - Monitoring of emissions and environment	C3	2.9.1
G4 - Infrastructure - Reporting and notification to Natural Resources Wales	C4	3.3.5

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
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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 monitoring data received and reviewed:-

Leachate levels – condition 2.9.1, table S4.1 Leachate heads reported to be at or close to permitted level of 1.0m in LWEE, with mean level approx 1.25m. Considered CCS3 minor impact.

LWS - we agreed that leachate head data is to be provided on a quarterly basis (as levels not anticipated to fluctuate) action please provide last set of data/graph for SL4-SL9. (noted that SL1 and SL2 are dry, SL3 is blocked)

Surface water – condition 3.1.2, table S4.2 Elevated levels historically recorded in relation to LWS discharges to Severn Estuary, no new non-compliances.

Sewer - condition 3.1.2, table S4.3 - no breach of daily limits.

Groundwater – condition 3.2.3, table S4.4 Elevated levels of NH3 and Ni continue to be recorded in several monitoring points down gradient of LWS. Refer to HRA. CC/NRW have agreed the Review and compliance limits, plus the requirement for an additional up gradient monitoring point (C23). Action CC to re-submit the Q4 data, plus propose location of C23 for agreement asap. Potential location may be in vicinity of transfer station?

Separately, we discussed the requirements of next HRA review due this year. NRW have a template for this purpose and a pre-meeting is being arranged with the operator. (The review is likely to be less onerous than on previous occasions) NRW/CC to progress asap.

Perimeter landfill gas - condition 3.3.5, table S4.5 single breach of methane recorded in G2 considered CCS4.

Site meetings and inspection 8th June.

1. Discussion on Slip repair

Meetings held 8th June and 18th July between NRW/CC and Atkins. NRW provided a technical memo dated 15th June and further comments on 21st July 2016.

NRW confirm that based on the situation on site we consider the proposed works under the first phase i.e. trimming back the exposed back scarp, to be an Emergency Activity. This is a Flood Risk Activity Exclusion (Exclusion 2) under the Environmental Permitting Regulations (England and Wales) 2010. There is no need to take any further action on this as you do not need to register an Exclusion.

Please can you keep us informed with design drawings, specifications & method statements NRW will also want to agree with the LTMP and triggers used to progress to next stage(s) of remediation to ensure long term stability of the landfill infrastructure.

2. CQA Plan for 2016 capping works

CQA Plan provided 7th June for next phase of capping (NRW have received draft drawings showing the extent of works) with works due to start in August. Plan assessed in letter dated 6th July, please could you provide responses asap.

3. Construction of permanent carpark on the site of the temporary top carpark LWS with relocation of existing HHWS

CC intend to have new HHWS in place by end November. Discussion and advice provided in relation to protection of LWS cap and access to infrastructure. Advice also provided on surface water management.

4. LTP update- contractors have completed works to replace pumps and refurbished. This will help reduce future downtime, and is a proactive measure.

5. Black water sampling - second sampling round arranged for reported incident (ditch to south of LWEE) please could you provide results as soon as practicable.

6. Brief discussion on closure and aftercare.

EPR Compliance Assessment Report

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Operator/Permit holder	The County Council of the City and County of cardiff	Date	08/06/2016

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.

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			
G4	C4	see previous	10/05/2016
G1	C3	See previous	10/05/2016
E3	O	NA	10/05/2016
B1	C3	See Previous reports, note next phase of capping due to start July	31/08/2016

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.