

Compliance Assessment Report

Report ID:
CAR_NRW0026942

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	05/05/2017	Time in	10:30	Out	12:45	
Assessment type	Report/Data Review					
Parts of the permit assessed	See Below					
Lead officer's name	Ward, Tyrone					
Accompanied by	Haf Peskett					
Recipient's name/position	Gareth Ffoulkes/ Landfill & Aftercare Manager	Date issued	03/08/2017			

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	
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	A	
E2 - Emissions - Land and groundwater	C4	3.2.3
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	3.3.5
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	2.9.1

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	3	Total compliance score (see section 5 for scoring scheme)	4.2
-----------------------------	---	--	-----

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

Q4 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 1.3m. Leachate heads reported to be at or close to permitted level of 2.0m in LWS, with mean level approx. 2.4m. Considered CCS3 minor impact.

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. Noted no breach of limits.

Perimeter landfill gas - condition 3.3.5, table S4.5 - single breach of methane limit GA2 considered CCS4.

Annual report

2016 AER received and reviewed.

2017 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 1.2m. Leachate heads reported to be at or close to permitted level of 2.0m in LWS, with mean level approx. 2.4m. Considered CCS3 minor impact.

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 - Single breach of NH3 limit C3 in January, considered CCS4.

Perimeter landfill gas - condition 3.3.5, table S4.5 - single breach of methane limit in GA2 in January considered CCS4.

Site meeting and inspection 5th May

Discussed date for acceptance of last waste inputs.

Update on permit monitoring requirements. CC detailed that the monitoring contract has changed for the new FY, and that sampling, collection and analysis will now be provided by Decus Research Ltd in Ammanford (UKAS and Mcerts accredited)

'Black water ditch' - The monthly monitoring determinands for the Surface water drainage pond have been clarified, and CC agreed to submit results separately to the standard permit monitoring requirements on an initial monthly basis. This service will also be provided by Decus Research and monthly frequency can be reviewed at a later date. Hopefully, we will identify an improved trend in WQ discharge to the ditch. Noted that reported values for NH4 to outfall at SW6 remaining low.

Update on LTP failure 13th April – generator failure due to a collapsed bearing. The generator was replaced with an identical unit the next day. No impact on leachate heads.

Settlement survey for 1016 AER now received.

Waste returns query (refer to e-mail to CC dated 16th March 17). CC confirmed that the reported 311,625t is wholly for disposal D05.02 this is in order to achieve the required falls prior to capping.

Update on capping – the design is unchanged from that previously agreed. Contractors and CQAE appointed. Meetings dates provided including Infinis and NRW to also attend if possible. Provisional start date is 5th June.

Update on slip repair – reported to be performing well; no further movement from visual checks.

Flood Resistance – we discussed CC's longer term survey project, with Shoreline Management Plans. Suggested there are 1,700 landfills in E&W in erosion and flood protection zones, and that flood risk is increasing due to climate change. CC and NRW are working together at project planning level. A main part of the coastal survey will be to identify weak spots in the sea wall. **Action** NRW/CC to check permit condition (operating techniques) for flood prevention measures.

Relocation of HHWS – CC confirmed that cap and monitoring infrastructure not compromised during work. See conditions of planning permission. **Action** CC to provide 'as built' drawings.

Site inspection.

Cabling trench to Kelda green waste facility now completed, no damage reported to infrastructure.

Improved security in place around surface water drainage pond – now includes chain link fence, palisade gate and briefing to Kelda site operatives.

There is a large amount of waste stockpiles on site, these will be used as part of the re-profiling of the final areas to achieve required falls prior to capping. Noted gas collection arrangements are being maintained.

Site meetings and inspections 19th July and 2nd August

The site closed for waste acceptance on 1st July and capping works for the remaining areas (comprising Cell 4, Cell 5 and Cell 5 extension) is in progress.

Works are being completed on a phased approach and the design is unchanged from that

previously agreed. The CQAP was accepted last year.

Progress meetings involving all parties are held fortnightly, in addition to the weekly meetings with CQAEs. Good arrangements are in place for producing minutes and resolving queries. **Actions – All**

In addition we make the following comments.

- Re-profiling and falls achieved by LLS surveying and associated plant software noted.
- Full time CQA Engineer supervision is welcomed.
- **Action CC** Please provide the CV's of all CQA Engineers working on site that we have not previously received.
- No major issues observed with the regulating material / layer. CQA Engineer assured NRW that foreign objects such as pieces of rebar and oversize (anything that could damage the geomembrane) will be removed following visual checks prior to placement of the geomembrane.
- A robust sampling strategy for chemical testing and PSD testing appears to be in place allowing any non-compliant material to be located easily and remedied if required.
- Storage and handling of geomembrane and geotextile material was discussed on site. Please ensure that these materials are stored and handled in line with the CQA Plan and manufacturers recommendations.
- CQA Engineer assured that welding contractors were sufficiently qualified and certified in line with the CQA plan.

We look forward to reviewing the CQA Validation Report in due course.

Staffing and TCM requirements

Separately as discussed during meeting 2nd Aug, please provide evidence of continuing competence as soon as practicable.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0026942**

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	Date	05/05/2017

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			
G1	C4	Re-sample and review extraction if required	31/03/2017
G4	C3	Refer to accompanying text	31/01/2017
E2	C4	To carry out HRA review re suitable TLs	28/09/2018

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.