

Compliance Assessment Report

Report ID:
CAR_NRW0032104

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	11/10/2017	Time in	10:00	Out	12:30	
Assessment type	Report/Data Review					
Parts of the permit assessed	See below					
Lead officer's name	Ward, Tyrone					
Accompanied by						
Recipient's name/position	Gareth Ffoulkes/ Landfill & Aftercare Manager	Date issued	24/11/2017			

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	C3	2.5.1
C4 - General Management - Storage, handling labelling and Segregation	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	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	2.9.1
	C4	4.2.1

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)	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

Q2 and Q3 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. 2.2m. 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.

Separately, results have now been provided relating to SW7 drainage pond in order to identify trends. Assessment on-going.

Sewer - condition 3.1.2, table S4.3 - no breach of daily limits. Reduction in flows also noted as a result of the capping work.

CC have appointed a new monitoring/maintenance provider.

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.

To include HRA Review and the installation of second up-gradient monitoring point as part of next site visit / closure discussions.

Perimeter landfill gas - condition 3.3.5, table S4.5 - no breach of methane limits.

To include inspection / upgrade of head works as part of next site visit / closure discussions (see action below)

Site inspection & Capping works

Capping works for the remaining areas (comprising Cell 4, Cell 5 and Cell 5 extension) is in progress. Soil material being brought in for restoration purposes only.

Further to site meeting 18th Sept and the information sent through from Mott McDonald – the operator has a similar situation with the capping works to Cell 4 at the northern section with the proposed tie-in west to east. Geoscience promptly attended site, and agreed in principle a practical solution on 22nd Sept. The original defect is a non-compliance, considered CCS3. Action - CC to ensure repair is fully documented and recorded in CQA Validation Report. We look forward to receiving this in due course.

Since last CAR, NRW continue to attend meetings when possible - refer minutes with actions

(All)

No complaints received during works, good measures continue to be in place for amenity control.

Landfill Closure

CC have confirmed that Lamby Way has now closed, and have requested a meeting to discuss closure procedure with their associated budgets and FP. Action NRW/CC to arrange suitable date.

EPR Compliance Assessment Report

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Operator/Permit holder	The County Council of the City and County of cardiff	Date	11/10/2017

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			
G4	C3	To be considered as part of HRA review, see previous text and correspondence	31/10/2017
B1	C3	Tie -in repair details discussed and agreed	31/10/2017
G4	C4	Ensure monitoring reports and other records are provided in specified periods	30/11/2017

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.