

Compliance Assessment Report

Report ID:
CAR_NRW0034259

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

Site	Ferry Road Landfill	Permit Ref	BP3795FD		
Operator/Permit holder	The City of Cardiff Council				
Regime	Waste Operations				
Date of assessment	04/12/2018	Time in	12:00	Out	14:30
Assessment type	Site Inspection				
Parts of the permit assessed	Landscaping and Aftercare: 36-42				
Lead officer's name	Peppicelli, Claudia				
Accompanied by	Ward, Tyrone				
Recipient's name/position	Patrick McGrath/ Operational Manager	Date issued	17/12/2018		

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)	C4	37
C2 - General Management - Management system and operating procedures	C3	Conditions 36-37-38-39 of the Permit (relates to section 6.4, 6.5 and 7 of the Working Plan)
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	C3	Conditions 36-37-38-39 of the Permit (relates to section 8 of the Working Plan)
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	39 of the Permit

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	4	Total compliance score (see section 5 for scoring scheme)	12.1
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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

CAR form desk-based: Claudia Peppicelli on The City of Cardiff Council, Ferry Road Landfill, BP3795FD, EAWML 30179. 12/11/18.

CAR form Site inspection: undertaken by Ty ward on 04/12/18.

In the context of the 'Closed Landfill' project this is a desk based review of your compliance with the permit and the working plan regarding the management of the closure phase of the site and the monitoring plan.

C2 Management System and operating procedures – *Poor management procedures are identified as the root cause of non-compliance observed during audit.*

Cat 3 Breach scored against Conditions 36-37-38-39 of the Permit (relating to sections 6.4, 6.5 and 7 of the Working Plan)

Root cause: Missing documents from the WP:

1. Addendum to the Working Plan: Addendum 1, 2, 3, 4. Especially addendum 4 that contains the details for leachate and surface water control measures mentioned in section 6.4 of the WP, "Control of Leachate/ dirty surface water" and in section 7 "Restoration of licenced area".
2. Reference 1 "Ove Arup & Partners (1995) 'Ferry Road – Hydrology and groundwater impact'. 95/2964, 1995". This one includes changes to the proposed testing for the monitoring programme.
3. Reference 2 "Ove Arup & Partners (1995) 'Ferry Road – Recommendations for capping over landfill, and the control of leachate and gas'. 95/2964, 1995". Which is the only document that contains details of the gas control measures to be installed at the time, the capping and the control measures after capping.
4. Reference 3 "Ove Arup & Partners (1995) 'Ferry Road – General scope of works for monitoring of groundwater, leachate and gas'. 95/2908, 1996".

Action

Provide Addendum 1, 2, 3, 4 of the Working plan [by 28th Feb 19]

G1 - Monitoring of emissions and environment – *non-compliance relating to the adequacy of the monitoring system: The operator submits only part of the monitoring data required by the permit.*

Cat 3 Breach scored against Conditions 36-37-38-39 of the Permit (relates to section 8 of the Working Plan)

We have only received recent monthly report from Jan to Sept 2018 of groundwater analysis results of 4 sampling points. There are no results from the leachate and gas monitoring.

Action

Provide an up to date Monitoring Plan during the Aftercare phase, which includes groundwater, leachate, surface water and landfill gas monitoring frequencies by [31st May 19] To be incorporated into revised Working Plan.

G4 - Reporting & notification - *issues associated with the requirement of the site operator to report/notify to NRW and/or any other bodies information or events as set out in the permit including the means and methods of reporting and notification: Failure to submit monitoring data by the date specified in the permit.*

Cat 3 Breach scored against condition 39 of the permit (section 8.2 of the Working Plan)

1. No information provided about the frequency of sampling for Zone 2.
2. No information provided about results of analysis on testing requirements.

Action

Include reporting and notification procedures as part of revised working plan during the Aftercare phase by [31st May 19]

Site inspection - 4th Dec18

The site is now used as public open space which is accessed by a series of tracks and pathways. Vegetation growth including semi mature trees are now well established.

Random walkover and inspection of the landform including surface water drainage ditches and collection ponds. Suitable falls are in place, and the SWMS appears to be performing as designed.



Photo 1 showing surface water pond

Vegetation is dense in some larger ditches which may be restricting flow. **Action CC** - investigate further and clean our main perimeter ditches where clogging could be problem. Considered no impact.

Random inspection of monitoring points (landfill gas, surface water and ground water)



Photo 2 showing internal monitoring point



Photo 3 showing perimeter monitoring point housing

Unable to inspect landfill gas extraction manifolds; however good security measures in place.



Photo 4 showing gas extraction manifold cover

During the inspection the Jenbacher engine was running, standby flare non-operational.



Photo 5 showing Landfill gas engine

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Action

CCC / Infinis/ NRW to review general monitoring provisions in Aftercare phase (please refer to G1 above)

If you have any queries relating to this form, please do not hesitate to contact me on the details below.

Claudia Peppicelli

03000654791

Email address

Claudia.peppicelli@cyfoethnaturiolcymru.gov.uk

****In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body***

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034259**

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

Site	Ferry Road Landfill	Permit Ref	BP3795FD
Operator/Permit holder	The City of Cardiff Council	Date	04/12/2018

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			
G1	C3	Refer to Section 2	31/05/2019
C2	C3	See Section 2	28/02/2019
G4	C3	Refer to Section 2	31/05/2019
B3	C4	See main text	31/05/2019

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.