

## Compliance Assessment Report

Report ID:  
CAR\_NRW0035137

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

Site	Hafod Quarry Landfill Site	Permit Ref	PP3139GB		
Operator/Permit holder	Enovert North Limited				
Regime	Installations				
Date of assessment	20/05/2019	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	2.9.1, 3.1.2, 3.3.5				
Lead officer's name	McClymont, James				
Accompanied by					
Recipient's name/position	Ian Craven/ Area Manager	Date issued	20/05/2019		

### 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
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	2.9.1
E2 - Emissions - Land and groundwater	C3	3.3.5
E3 - Emissions - Surface water	C3	3.1.2

**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.

<b>Number of breaches recorded</b>	<b>3</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>12</b>
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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 compliance Q1 (January - March) 2019**

#### **Breach of Permit Condition 2.9.1, CCS C3 - Q1 2019 Leachate Level exceedances (with reference to Schedule 6 Notifications HAF 228, 230 & 233)**

Cell 1 (LMP1b) 2.54 & 2.18m versus 2m limit;

Cell 3 (LMP3) 3.99 & 3.33m versus 2m limit;

Cell 4 (LC4) 2.93, 6.85 & 5.88m (LMP4a) 3.29, 4.31 & 5.76m (LMP4b) 3.34, 3.31 & 5.96m versus 2m limit.

The volume of leachate removed from site in February and March was 1261m<sup>3</sup> and 1972m<sup>2</sup>.

LMP2b cannot be monitored. It is intended that this monitoring point is re-drill once a safe location for a drill rig is available.

Leachate levels in Cell 4 increased over the review period. HAF 233 outlines that this is due to "difficulties getting enough tankers to empty the main storage tank towards the end of the month which automatically restricts what can be pumped from the chambers". The Operator must ensure that there is adequate leachate storage capacity / amount of tankering to maintain leachate level below the 2m permitted limit.

**Action 1:** Submit a CQA Plan for the re-drilling of LMP2b to NRW by 30/06/2019.

**Action 2:** Operator to ensure that there is adequate leachate storage capacity / amount of tankering to maintain leachate level below the 2m permitted limit.

#### **Breach of Permit Condition 3.3.5, CCS C3 - Q1 2019 various perimeter gas well exceedances (with reference to HAF 227, 229 & 232)**

Methane ranging from 1.1 - 42.5% versus 1% limit.

**Action 3:** Optimise gas extraction from the in-waste wells.

#### **Breach of Permit Condition 3.1.2, CCS C3 - Q1 2019 emissions to surface water (with reference to HAF 231 & 234)**

SW2 Chloride 73 and 83 mg/l versus 67mg/l limit.

**Action 4:** Continue to monitor and investigate any breaches / trends.



## EPR Compliance Assessment Report

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Operator/Permit holder	Enovert North Limited	Date	20/05/2019

### 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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

### 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			
E3	C3	See comments section	30/06/2019
E2	C3	See comments section	30/06/2019
B1	C3	See comments section	30/06/2019

## 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](mailto: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.