

	EPR Compliance Assessment Report	Report ID: 37073/0240580			
This form will report compliance with your permit as determined by an NRW officer					
Site	Standard Landfill Site		Permit Ref	37073	
Operator/ Permit holder	Flintshire County Council				
Date	30/04/2015		Time in	00:00	Out 00:00
What parts of the permit were assessed	Quarterly monitoring Jul to Sep and Oct to Dec 2014 and Jan to Mar 2015				
Assessment	Report/data review	EPR Activity:	Installation	Waste Op X	Water Discharge
Recipient's name/position	Phil Mulhall, Energy & Compliance Manager				
Officer's name	Mandy Langstaff		Date issued	08/06/2015	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	NA	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	A	
	3. Surface water	A	
	4. Sewer	NA	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	NA	
	2. Energy	NA	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

This CAR form covers the quarterly monitoring reports for July to September and October to December 2014 and January to March 2015.

b1) Infrastructure: Engineering for prevention and control of emissions

The leachate head was maintained below 2m from July 2014 to March 2015.

e2) Emissions: Land and groundwater

Landfill gas - Methane was detected in BH9 and BH22 during July to September 2014 and BH22 only during October to December 2014 and January to March 2015. The trigger level of 1% for methane was not exceeded in BH9 but was exceeded in BH22 on 2 out of 13 occasions during July to September 2014 with a maximum level of 1.2%. The trigger level was not exceeded in BH22 during October to December 2014 or January to March 2015.

Carbon dioxide was detected in all boreholes, but the current trigger levels were not breached.

Groundwater - Ammoniacal nitrogen in BHGW6 remained at 111 mg/l during July to September 2014, and then decreased to 82.9 mg/l during October to December 2014 and then further to 75.5 mg/l during January to March 2015. This still exceeds the agreed interim compliance limit of 6.4 mg/l. Chloride increased to 642 mg/l during July to September 2014 but decreased to 567 mg/l during October to December 2014 and 519 mg/l during January to March 2015. COD increased to 578 mg/l during July to September but then decreased to 316 mg/l during October to December 2014 and 225 mg/l during January to March 2015. Conductivity was 3.61 mS/cm during July to September and then decreased to 3.23 mS/cm during October to December and 2.82 mS/cm during January to March 2015. Total Oxidised Nitrogen (TON) increased to 98.2 mg/l during July to September, then 106 mg/l during October to December 2014 and remained at 106 mg/l in January to March 2015. BHGW6 is also showing elevated levels of manganese, nickel, potassium and sodium above the relevant EQS/DWS and has elevated cadmium, copper, lead and zinc compared to the results in the other groundwater boreholes. These levels indicate that the groundwater is still being affected by leachate contamination.

e3) Emissions: surface water

The 1 mg/l assessment level for ammoniacal nitrogen was not exceeded in SW5 during July to September and October to December 2014 or January to March 2015.

The 105 mg/l assessment level for chloride was also not exceeded in SW5 during this period.

COD in SW5 increased to 82 mg/l during July to September, remained steady at 80 mg/l in October to December 2014 and then reduced to 45.3 mg/l during January to March 2015.

COD was also high in the upstream monitoring location SW1 for most of the period ranging between 35.7 mg/l and 1030 mg/l. Ammoniacal nitrogen in SW1 was above the EQS at 1.92 mg/l during October to December 2014 and 1.2 mg/l in January to March 2015. Three hazardous substances were also detected at SW1 during October to December 2014.

g1) Monitoring and records, maintenance and reporting: monitoring emissions and the environment

No results were reported in the groundwater monitoring for arsenic, mercury, nitrate, nitrite, sulphate, phenols, cyanide and BOD during July to September; arsenic, nitrate, nitrite and BOD during October to December 2014; or arsenic, mercury, nitrate, nitrite, phenols, cyanide or BOD during January to March 2015 as specified in the groundwater management and monitoring plan.

No results were provided in the leachate analysis for electrical conductivity as specified in the leachate management plan.

No results were provided in the surface water analysis for sulphate during July to September 2014 and January to March 2015 and nitrate during October to December 2014 as specified in the surface water management and monitoring plan.

The Operator is carrying out a review of the monitoring programme to ensure that the monitoring suites for groundwater, leachate and surface water are consistent with closure plans.

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Operator/ Permit	Flintshire County Council	Date 30/04/2015

Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	☐
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.	☐
We will now consider what enforcement action is appropriate and notify you, referencing this form.	☐

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			

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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.