

Compliance Assessment Report CAR_NRW0039400

Permit being assessed: BU0800IZ.

For: Llanddulas Landfill EPR/BU0800IZ, held by 3C Waste Limited

At: LLANDDULAS QUARRY ABERGELE ROAD , LLANDDULAS, ABERGELE, ABERGELE, LL22 8HP.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 10/02/2022 between 11:00 and 14:00.

Parts of permit assessed: 1, Management. 3, Emissions, 4.3 Notifications

NRW Lead Officer: Anthony Roberts.

Report sent to: Chris Bennion, Area Landfill Manager on 17/02/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	4.3
B1 - Infrastructure - Engineering for prevention and control of emissions	C3 Minor	1.1, 3

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	8

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
G4	Submit revised Gas Management/Action Plan within 28 days of the date of this report.	18/03/2022
B1	Reinstate extraction system to full working order and bring all perimeter wells into compliance	Already completed

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Llanddulas Landfill Audit

10th February 2022

11:00 -14:00 hours

Site meeting was conducted with Phil Birchall, Site Compliance Advisor before inspecting the gas wells on the operational phase of the landfill.

1. Perimeter Breaches

Perimeter monitoring borehole permit breaches for methane in phase 1 were detected in December and January due to an initial power outage to the extraction system so both flare and GUP failed for a short period.

This was not reported to NRW within the required timescale as specified in the permit under condition 4.3.1, so is scored a CCS 3.

Phase 1 perimeter monitoring wells showed high reactivity to the outage of the gas extraction system. The system was down for less than 4 hours and permit breaches for methane were detected above the 1% trigger level in 15 LFG monitoring wells.

Breaches of methane permit limit were reported in 15 gas monitoring boreholes in breach of conditions 1.1 and 3, and breach of the limits specified in table S4.5

Due to breach of methane trigger levels in multiple perimeter monitoring boreholes on phase 1 a CCS 3 score has been scored on this occasion.

ACTION: Please confirm the existence of a permanent standby generator on site and if so, why this was not utilised to maintain extraction.

ACTION: Please investigate standby generator arrangements and report findings to NRW within 28 days of the date this report.

The Site Compliance Advisor was alerted to the issue on receiving the monitoring data following a delay caused by the change to the automated reporting system. A data base exceedance report trigger to show that there was a problem had not functioned correctly. This must be re-set and was part of the failure to notify. As soon as gas management system failed, the alert and data was notified to the Site Compliance Advisor by Infinis. Although the response was sent, there was a significant delay in notification as the Infinis outage report was sent to the wrong FCC inbox due to an update in electronic systems which changed the automated responses.

ACTION: FCC/Infinis must change the distribution list for notifications so all personnel on site are notified of an outage. The perimeter monitoring breaches prove that there are still issues with

migrating gas and there should be immediate reference to the gas management/emergency action plan on outage procedures which involves increased monitoring, increased reporting and strict adherence to this protocol.

ACTION: FCC/Infinis to review Gas Management/Emergency Action plan and send updated version to NRW within 28 days of this report.

2. Monitoring Frequency in the event of a breach of trigger levels

The monitoring frequency must be increased on discovery of a breach in trigger levels for methane this should be included in the GMP and be part of the written procedures.

3. Gas well Monitoring Following Breach

Gas wells should be monitored immediately there has been a breach detected on the perimeter of phase 1. This should be increased in relation to the severity of the migration event but should be as a minimum, daily in a case such as this due to the risk level and location of this phase of the landfill.

4. Current Status of Extraction System and Wells

Subsequent to the outage of the gas management extraction system, Infinis informed FCC and assigned a technician to re-boot the LFG extraction system. The outage started at 11:20 on December 7th 2021. Extraction was resumed at 15:05 on the same day. Notifiable duration is 4 hours and this event was just under that timescale. This was notified to FCC as soon as the outage occurred (at 11:26) and therefore response was only delayed by the problems with the IT inbox delivery system This has now been disabled and all notifications routed to the correct inbox.

ACTION: Consider a review of notification protocol if online failures occur such as an additional phone system.

All gas wells are now back in compliance and systems are functioning normally.

5. Well survey over immediate operational area in Phase 3a

Wells were assessed on flow and valve status. The majority of gas wells in and around the current working cell demonstrated gas flow, however the following wells require attention:

D315 NAF (No apparent flow) – Valve does not have full range of operation needs work or replacement. Apparent high levels of positive pressure please check and remediate.

D322 NAF. Valve needs attention

D320 NAF. Valve needs attention

D317 NAF – Check for perching, sounds of entrained water at depth.

There was little odour detected during the inspection and therefore no score has been attributed to the gas collection infrastructure around the working cell at this time. Scores may be applied in

future if these issues remain unresolved.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.