

	EPR Compliance Assessment Report		Report ID: 5799	
This form will report compliance with your permit as determined by an NRW officer				
Site	Vale (INCO) Landfill		Permit Ref	34002 (EC8/77)
Operator/ Permit holder	Vale Europe Limited			
Date	16 th January 2015			
What parts of the permit were assessed	Landfill Inspection (& clarification site is in aftercare).			
Assessment	Inspection	EPR Activity:	Installation	Waste Op: X Water Discharge
Recipient's name/position	Lee Davies			
Officer's name	Neil Herbert		Date issued	19 th January 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	N	
	2. Closure & decommissioning	A	
	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	N	
	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	N	
	3. Surface water	N	
	4. Sewer	N	
	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	N	
	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	N	
	2. Energy	N	

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

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

Working Plan update (Closure Report - Aftercare Management Plan)

- In September 2014¹ the operator's updated working plan for the management of the site in the aftercare phase (closure report, dated 29th July 2014) was approved by Natural Resources Wales.
- The site can now enter the aftercare phase, however you will still need to ensure compliance with the provisions of your permit (including the closure report) and ensure that the site does not cause pollution to the environment, harm to human health or detriment to the amenity of the area.

Changes to subsistence charges

- You current subsistence band (based on NRW charging scheme²) is found on Table 3 subsection A/c/2/Sb. Following the decision to accept the working plan (closure report) the site should move into the aftercare phase and your subsistence band will be changed accordingly to the Table 4/d/i charging band. This will see a reduction in your site's subsistence charges.
- We will now be notifying our finance colleagues of the change and your billing details should be amended accordingly.

Note regarding site surrender and monitoring

- It should be noted that the monitoring programme set out in the approved working plan (closure report) is unlikely to satisfy the standards required to support a surrender application and would need to be enhanced. In the future when you believe that the site is in a position to be surrendered, please contact NRW to discuss the requirements (including any additional monitoring).

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Site Observation

Whilst we were on-site we undertook an inspection of the landfill site and make the following comments and observations:

- The landfill is heavily vegetated and trees have been allowed to establish on the surface. This is unfortunate as the restoration layer is understood to be only 15cm deep and the presence of trees is likely to be causing damage to the capping system. Furthermore it is difficult to undertake visual inspections of the site due to the heavy growth. However prior to any further consideration we have asked NRW's biodiversity team to undertake a separate visit and following on from this we can then agree the best means forward.
- As noted above, the area is heavily overgrown making visual inspections difficult however of the areas that we inspected there was no evidence of large dips or significant hollows on the restored surface (differential settlement). However we did note some evidence of wheel ruts in a few limited areas, and these should be remediated;



photograph showing the extensive vegetation covering landfill.

¹ Email from Jeremy Walters, dated 25th September 2014.

² Current charges scheme: Page 122 to 126 (<http://naturalresourceswales.gov.uk/content/docs/pdfs/how-we-regulate-you/our-charges/environmental-permitting-charging-scheme-and-guidance.pdf?lang=en>)

- We inspected a few of the groundwater monitoring wells and recommend that they are fitted with rubber bungs to prevent debris entering the well. In the event that any wells will need to be replaced in future, please ensure that the casing is at least 20 cm above the ground level in any replacement well (where feasible).



Photograph showing groundwater borehole. Casing flush with ground level.

- The leachate extraction transmission pipes have been assembled using screwfix fittings. As the pipework crosses the main river and these type of fixtures have a propensity to fail, then we recommend that formalised inspection programme (to be included and documented in the existing site inspection programme) should be adopted. We also recommend that the use of fusion welded jointed fixtures should be used in future.

Photograph showing leachate transmission pipework over the access bridge crossing the main river. The fixtures are screwfix type.



- At various points we also noted the presence of the odd pile of rubble and bricks. These should be removed.

End of section 2

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Site	Vale (INCO) Landfill	Permit	34002 (EC8/77)
Operator/ Permit	Vale Europe Limited	Date	16 th January 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 a 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			
		No compliance breaches have been recorded however the following actions need to undertaken to ensure future permit compliance.	
		Ensure compliance with the requirements of your site permit and recently approved working plan (closure report).	Ongoing
		Install rubber bungs into groundwater monitoring borehole to prevent debris entry into the wells	1 st October 2015
		Add inspection of leachate pipework to site inspection checklist to ensure pipe is not leaking etc.	Immediate
		Remove inert debris left on the restored surface.	To be agreed*
		Repair damage to restoration layer, caused by vehicle traffic. Work should be undertaken during dry period.	1 st October 2015
		No removal of any vegetation until NRW Biodiversity officers have undertaken a visit of the area. NRW will then be in a position to advice on how best to deal with the problem of vegetation damage to the cap.	To be agreed (await NRW comments)

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 Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). 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.

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

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) 601 0987**.