

Compliance Assessment Report

Report ID:
CAR_NRW0000150

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

Site	Rhuddlan Bach Quarry Landfill Site	Permit Ref	FP3590LV			
Operator/Permit holder	Clive Hurt (Plant Hire) Ltd					
Regime	Waste Operations					
Date of assessment	15/02/2016	Time in	13:30	Out	15:00	
Assessment type	Site Inspection					
Parts of the permit assessed	The CAR Sub-criteria listed below					
Lead officer's name	Briscoe, Ross					
Accompanied by						
Recipient's name/position	Richard Hurt/ Director	Date issued	13/04/2016			

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	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
E2 - Emissions - Land and groundwater	C3	3.3.5
E3 - Emissions - Surface water	C3	3.1.1
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	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.3.1, 4.3.2, 3.6.1

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	3	Total compliance score (see section 5 for scoring scheme)	8.1
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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

This Compliance Assessment Report form has been produced to document a site inspection carried out on the 15 February 2016, a desktop review of the 2015 annual monitoring data submitted on the 15 January 2016 and the waste returns submitted for the 2014 and 2015 calendar years.

Compliance Visit

The purpose of this site inspection was to become familiar with the layout of the site, more specifically to locate the monitoring infrastructure across the site.

Weather conditions throughout the visit were dry and clear. Rain had fallen prior to the inspection being carried out, so site surfaces remained damp underfoot.

Discussion were held upon arrival at the site with Tom Parry (COTC Holder) regarding recent and proposed operations before carrying out a walkover of the permitted area.

All of the monitoring boreholes were located apart from the surface water monitoring points SW1 and SW3. These monitoring points were not located due to difficult access caused by recent weather conditions (heavy rainfall leading to waterlogged ground).

Currently BH1 is not in situ and is not being used for monitoring purposes. The borehole was removed as part of the quarrying operations – separate discussions are ongoing regarding the reinstatement of this borehole.

Even with the aid of a site plan, some of the boreholes (BH3 & BH4) were slightly difficult to locate and identify. As a recommendation, it may be advantageous to improve the identification of the monitoring points on site and also provide markings of which point it is. Identification could be provided on the lid of the borehole for example. Also in addition please ensure that the monitoring points are inspected frequently for any damage or any access problems due to overgrown vegetation – it is important that the monitoring infrastructure on site is fit for purpose.

Quarrying operations utilising heavy plant machinery were taking place on site with covering material being stripped back from the site surfaces in preparation for further blasting of exposed rock to take place.

Stockpiles of aggregates were located within the quarry ready for removal off site.

Within the former waste transfer station only chipped waste wood remained. Some of this was contained within roll on roll off skips and the rests was stockpiled upon the site surface without cause for concern. The material still awaits removal off site to an appropriately permitted facility.

No other issues were noted upon the inspection. Site documentation was not reviewed. No issues were noted relating to noise, dust, odour, litter, pest/vermin or mud on the highway.

2015 Monitoring review

A review has taken place of the 2015 annual monitoring data.

The following breaches have been recorded following the review.

E2 Emissions Land, Permit Condition 3.2.3, Compliance Classification Scheme Category 3 Breach.

Relating to groundwater monitoring, within BH3 the trigger limit for Ammoniacal Nitrogen (0.39mg/l) was exceeded on four occasions with a maximum of 1.2mg/l being detected. The trigger limit for Iron (0.2mg/l) was exceeded on three occasions (January 0.23mg/l, November and December 0.22mg/l). The trigger limit for Manganese (0.05mg/l) was exceeded on 5 occasions with a maximum concentration of 3.38mg/l being detected. The trigger limit for Sulphate (250mg/l) was also exceeded on 10 occasions with a maximum concentration of 389mg/l being detected. A category 3 non-compliance has been recorded for these breaches.

E2 Emissions Land, Permit Condition 3.3.5, Compliance Classification Scheme Category 3 Breach.

Concerning landfill gas, table S4.3 specifies the trigger limits for Methane and Carbon Dioxide. No Methane trigger level exceedances took place throughout the monitoring period. In relation to Carbon Dioxide the trigger levels were breached on a number of occasions as follows. BH2 - trigger level 5.1%v/v, maximum level recorded 5.3%v/v, (1 exceedance), BH3 – trigger level 3.1%v/v, maximum level recorded 7.0%v/v, (1 exceedance) and BH4 – trigger level 6.0%v/v maximum level recorded 8.1%v/v (2 exceedances). A category 3 non-compliance has been recorded for these breaches – Score consolidated under multiple CAR sub-criteria breaches (E2).

E3 Emissions Water, Permit condition 3.1.1, Compliance Classification Scheme Category 3 Breach.

The surface water monitoring data indicates that at monitoring point SW2, seven exceedances of the TPH trigger level (0.01 mg/l) occurred throughout the monitoring period. The maximum detection was 0.03mg/l with an average of 0.02mg/l being detected over the review period. A category 3 non-compliance has been recorded for these breaches.

G4 – Reporting and Notifications, Permit condition 4.3.1, Compliance Classification Scheme Category 4 Breach.

Under condition 4.3.1 (b), following detection of a breach in a limit specified within the permit the agency (NRW) shall be notified without delay. Aside from the quarterly and annual reports no notifications have been received following the breaches in the limits specified. A category 4 non-compliance has been recorded for this breach.

G4 – Reporting and Notifications, Permit condition 4.3.2, Compliance Classification Scheme Category 4 Breach.

Following on from the above (condition 4.3.1), under condition 4.3.2, information regarding a breach of a specified limit shall be confirmed by sending the information listed within schedule 6 of the permit - specified by the time period within that schedule to NRW. In this case within 24 hours. No schedule 6 notification have been received within the 2015 monitoring year. A category 4 non-compliance has been recorded for this breach – Score consolidated under multiple CAR sub-criteria breaches (G4).

G4 - Reporting and Notifications, Permit condition 3.6.1, Compliance Classification Scheme Category 4 Breach.

Under condition 3.6.1 (c) which relates to monitoring for landfill gas, as specified within tables S4.3 and S4.4 of the site permit,

no data has been provided for Oxygen, Atmospheric Pressure, Differential, Pressure, Temperature and/or Meteorological data. This data should be recorded on a monthly basis and submitted in line with monitoring data. Please ensure that this data is submitted on all future monitoring reports. A category 4 non-compliance has been recorded for this breach – Score consolidated under multiple CAR sub-criteria breaches (G4).

2014 & 2015 waste return review

The waste returns submitted for the 2014 and 2015 calendar years have been reviewed and no issues have been noted.

Separate communication has also been exchange with the site regarding the Environmental Management System, the installation of a geological barrier and a possible variation to the current environmental permit of the site associated with the proposed changes in planning permissions at the site.

A site meeting has also been suggested to discuss the above.

A summary of the Compliance Classification Scheme Scoring on this Compliance Assessment Report is shown below

E2 – CCS category 3 – 4 points
E2 – CCS category 3 – 4 points (consolidated)
E3 – CCS category 3 – 4 points
G4 – CCS category 4 – 0.1 points
G4 – CCS category 4 – 0.1 points (consolidated)
G4 – CCS category 4 – 0.1 points (consolidated)
Total – 8.3 CCS points

Thank you for your time.

Regards
Ross Briscoe - Environment Officer
0300 065 3675
ross.briscoe@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 for Wales (Establishment) Order 2012

NOTE - Due to internal IT transitional arrangements within Natural Resources Wales, this report form had been delayed in production and subsequently in being forwarded onto the recipient. The purpose of the Compliance Assessment Report is to provide a record of observations made during the site inspection.

EPR Compliance Assessment Report

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Site	Rhuddlan Bach Quarry Landfill Site	Permit Ref	FP3590LV
Operator/Permit holder	Clive Hurt (Plant Hire) Ltd	Date	15/02/2016

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			
G4	C4	Submit notifications when required to in line with permit and monitoring. Submit all required monitoring data.	31/05/2016
E3	C3	Where necessary, investigate all exceedances of monitoring data and document findings. Consider re-monitoring to confirm results	31/05/2016
E2	C3	Where necessary, investigate all exceedances of monitoring data and document findings. Consider re-monitoring to confirm results.	31/05/2016

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.