22 December 2014

Horowhenua District Council
Private Bag 4002
LEVIN 5540

File ref: 1/4/HDC
6011
SGS:YKS

Attention Arron Cox

Dear Arron

LEVIN LANDFILL OBJECTIONABLE ODOUR BEYOND THE PROPERTY BOUNDARY NON-COMPLIANCE REPORT

On 13 November 2014 I attended a Hokio Beach Road address in relation to Levin Landfill odour complaints. The complainant had filled out a Horizons Regional Council (HRC) odour diary which covered the period 22 March 2014 to 30 September 2014 at the time of the visit. The odour diary includes the time, duration, continuity, intensity and odour character of each odour event the complainant detected.

In relation to objectionable odour beyond the landfill boundary condition 3 of resource consents 6011 states:

> *There shall be no discharge of odour or dust from the landfill that in the opinion of a Regional Council Enforcement Officer is noxious, dangerous, offensive, or objectionable beyond the property boundary.*

Based on the complainant's odour diary I have deemed there has been 27 occasions during the above period where the intensity and character of odour discharged beyond the landfill boundary would be offensive or objectionable to an extent where it would adversely affect the complainant's environment. Therefore condition 3 of resource consent 6011 has been graded as **Significant Non-Comply** due to the on-going nature of these odour complaints.

Horowhenua District Council advised HRC that Doug Boddy, MWH Air Quality Scientist, has carried out a Landfill Odour Assessment. The assessment report is scheduled to be submitted to HDC in January 2015. HRC strongly recommends HDC provide HRC with a copy of the Landfill Odour Assessment report and implement recommendations contained in the report as soon as practicable in order to ensure compliance with condition 3 of resource consent 6011.

As a result of this assessment Levin Landfill has been given an overall **Significant Non-Comply** for condition 3 of resource consent 6011. Please note that since the Levin Landfill is at the time of this invoice not complying with the conditions of its resource consents, the compliance monitoring charges are 100 per cent of the full charge as detailed in the attached cost sheet.

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Please find attached a copy of Horizons Regional Council's Compliance Assessment Guidelines for your reference.

If you have any queries about the attached report, please contact me via email stuart.standen@horizons.govt.nz or on 0508 800 800.

Kind regards

Stuart Standen
CONSENTS MONITORING OFFICER

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Table 1. Compliance Assessment Guideline for Individual Consents

Site Compliance Grade	Examples
Comply - Exceeds	• Consent holder has implemented practices, procedures, systems that are over and above that required by the resource consent or consents for the site which are having a tangible environmental benefit.
Comply - Full	• Complying with all conditions of consent; and/or • A non-compliance has occurred beyond the control of the consent holder; and/or
Comply	• One Minor Non-Compliance with a condition of the resource consent.
Comply – At Risk	• At Risk grading identified against key condition(s) of one or more of consents for the site.
Comply – On Track	• At risk grading identified AND site has entered into a Compliance Pathway Agreement (CPA) to reduce system risks and achieve best practice.
Non-Compliance	• There have been two 'first time' Non -Compliances with the conditions of consent; and/or • There has been one repeat Minor Non-Compliance with the same or similar condition.
Significant Non-Compliance	• There has been at least one Significant Non-Compliance Rating with a condition; and/or • There has been at least two repeat Non- Compliance Ratings associated with the same or similar condition; and/or • There have been three or more 'first time' Non Compliance Ratings.
Not assessed	• Monitoring has not been undertaken of this consent during the reporting period.

Table 2. Compliance Assessment Guideline for Individual Conditions

Condition Compliance Grade		Adverse Effects Scale	Examples (not exhaustive)
Comply – Excellent		Nil.	Consent holder has implemented practices, systems, and procedures that are over and above that required by the resource consent and are having tangible environmental benefit.
Comply - Full		Nil.	Conditions of consent are fully complied with. Sampling out of sequence or late due to circumstances outside of consent holders control (e.g. flow related sampling).
Comply – At Risk		Nil – de-minimus. (*dictionary*: de-minimus - need not be considered. In terms of the RMA the term means an effect which is less than minor, of no consequence, so trifling that it should be disregarded).	Compliant at time of inspection but management / system deficiencies indicate there is a real risk of a non-compliance occurring (e.g. insufficient effluent storage, poor irrigator performance).
Comply – On Track		Nil – de-minimus.	System has been identified as At Risk, but the consent holder has agreed to enter into a Compliance Pathway Agreement (CPA) to ensure compliance is consistently achieved. Consent holder is currently complying with conditions of consent.
Minor Non-Compliance		De-minimus to less than minor.	One-off failure to comply with a condition of consent (e.g. One off minor exceedance in key parameter in 6-months worth of sampling (allows for two minor exceedances in a 12-month period). Intent of condition met however data and / or report provided late (no later than 6 weeks). First up failure to install a water meter for a small take (stockwater), provide management plan or environmental information (e.g. water quality information) within required timeframes.
Non - Compliance		More than minor and / or ongoing (*dictionary:* defines 'minor' as lesser or comparatively small in size or importance). Ongoing (*dictionary*: continuing to exist).	Four minor exceedances of key parametres for one year's worth of sampling / data. Repeat failure to provide a report or monitoring data. Repeat Failure to undertaken sampling. Failure to install water meter for a more than minor take (e.g. irrigation).
Significant Non-Compliance		More than minor to significant, serious and / or ongoing. Significant (*dictionary*: important, noteworthy, consequential). Serious (*dictionary*: important, demanding consideration, not slight). Ongoing: (*dictionary*: continuing to exist).	Water quality results indicate there is a potential for or an actual effect which is more than minor that is not authorised by the resource consent. Unauthorised discharge of wastewater / effluent into water or onto land where it may enter water, excessive ponding of effluent on the land surface. Repeated failure to provide a report/monitoring data/ management plans/install water metering equipment etc. Repeated failure to undertake sampling. Repeated failure to comply with authorised discharge or water take volumes.
Not Applicable			Applies to conditions that are no longer applicable. Generally relates to historic conditions that may require provision of a management plan, which has been provided and consent requires no further action.
Not Assessed			Monitoring not undertaken of consent condition.

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