

OWAKA ROAD PIT – ENVIROWASTE RESOURCE CONSENT COMPLIANCE

Officer responsible John Dryden, Environmental Policy and Planning Manager and Mike Freeman, Director of Regulations	Author Jenny Ridgen, Environmental Scientist (CCC) DDI 371-1407 and James Tricker, Consent Monitoring Officer (ECan)
Corporate Plan Output: Environment, Conservation and Open Space	

The purpose of this report is to inform the committee members of the history of compliance monitoring for this site and to advise of possible long-term outcomes for the site.

BACKGROUND

On 12 September 1996 Envirowaste was granted a resource consent by the Regional Council to discharge contaminants onto land and into groundwater from the deposition of hardfill material at their property at the southern end of Owaka Rd. The Owaka Rd property contains an old shingle pit, excavated to below groundwater level and partly filled with water. The resulting pond provides habitat for wetland birds in an area where large stretches of open water are not plentiful. Discussions have been held between Envirowaste and the City Council on the long-term use of the site as a reserve, however these discussions have not progressed to any agreement. The pit had been reclaimed as a landfill and then left abandoned until Envirowaste recommenced filling under the terms of their current consent. The local Community Board has raised concerns that the conditions of this consent are not being complied with.

Resource Consent Compliance Monitoring

The Resource Consent granted to Envirowaste is subject to 11 conditions (Appendix 1). Three of these deal with the type of material permitted as fill, restricting it to inert fill, with specific restrictions on asbestos, asphalt and gib board, and limiting vegetative material to 5% of any load by volume. Further conditions concern requirements for signage, supervision of the site, fencing, site access (the site must be locked when unsupervised), groundwater monitoring, review of conditions and charges.

During the time Envirowaste has operated the site as a landfill, Regional Council officers have made at least 9 fully documented monitoring visits, along with other visits made to check on progress on specific compliance issues.

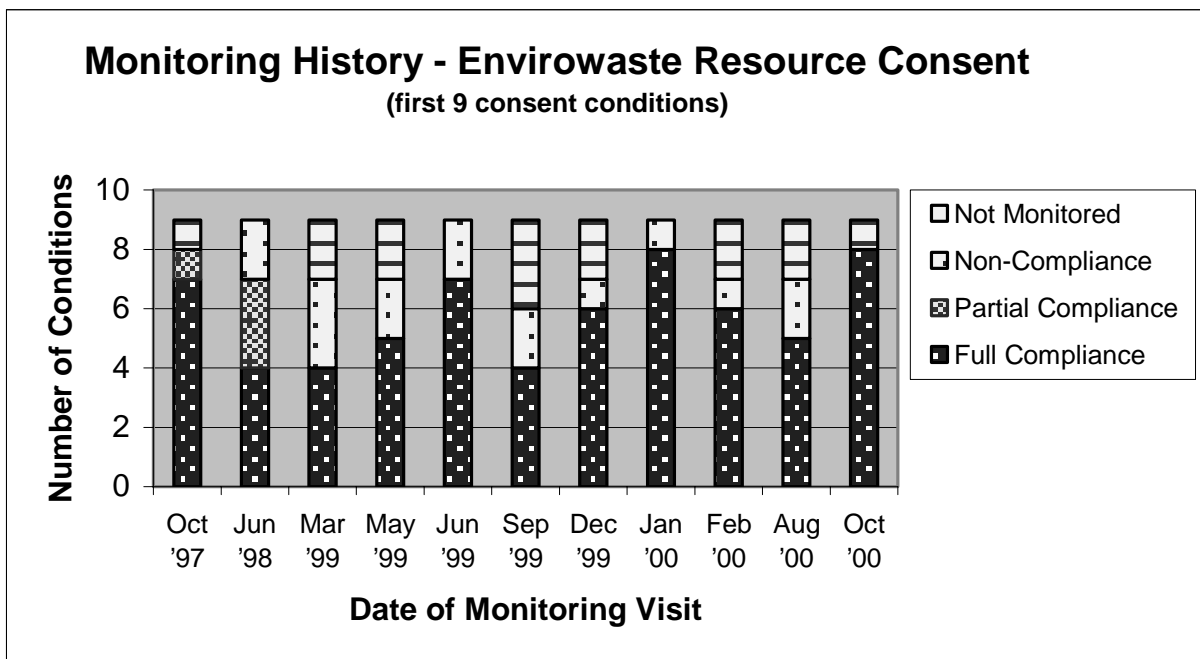
Figure 1 and Table 1 below summarise the reports from these visits, covering compliance with the first nine consent conditions i.e. excluding the conditions concerning review of conditions and charges. For a number of reasons a condition may not be monitored during a visit, for example, because groundwater tests are not due or because no asbestos, asphalt or gib board are observed during the visit. Similarly, if the site is open and supervised at the time of the visit, it is not possible to monitor the condition that all entrances to the site be securely locked when the site is not supervised.

Table 1. Summary of Compliance Monitoring Reports

Date of Visit	Full Compliance	Partial or Non-Compliance	Not Monitored
31 Oct '97	7 conditions	1 condition (excess vegetative matter and tree stumps to be removed)	1 condition (re: asbestos)
10 June '98	4 conditions	5 conditions (signage does not mention that hazardous wastes not permitted, lack of supervision on site, inadequate fencing, excess vegetative material, and gate unlocked when no-one on site)	
Date of Visit	Full Compliance	Partial or Non-Compliance	Not Monitored
26 March '99	4 conditions	3 conditions (Immediate action required on 1 condition i.e. large variety of unsuitable material being dumped, plus large pile of stockpiled tyres. Also lack of supervision on site and site left unlocked)	2 conditions (re: monitoring well and groundwater tests)
13 May '99	5 conditions	2 conditions (tyres to be removed and shredded, groundwater tests overdue)	2 conditions (re: asphalt & gib board and monitoring well)
21 June '99	7 conditions	2 conditions	

		(whole tyres need shredding or removal and groundwater tests overdue)	
16 Sept '99	4 conditions	2 conditions (considerable quantities of unsuitable material, lack of supervision)	3 conditions (re: asphalt & gib board, monitoring well and groundwater tests)
1 Dec '99	6 conditions	1 condition (tyres need to be removed and shredded)	2 conditions (re: asphalt & gib board and locking of entrance)
11 Jan '00	8 conditions	1 condition (number of tyres in lake reduced but some still to be removed)	
23 Feb '00	6 conditions	1 condition (late in sending groundwater test results to CRC)	2 conditions (re: Condition 1 - mechanical breakdown meant no material being buried, sorting of material and education of customers required. Locking of entrance)
31 August '00	5 conditions	2 conditions (unsuitable material, lack of supervision)	2 conditions (re: locking of entrance and groundwater tests)
30 October '00	8 conditions		1 condition (re: groundwater tests)

Figure 1. Monitoring History – Envirowaste Resource Consent



Improvements in Compliance

In the past there has been considerable non-compliance with consent conditions, in particular with respect to unsuitable material being dumped and lack of supervision at the site. As can be seen from Figure 1 the most recent monitoring visit, on 30 October 2000, showed that Envirowaste was complying fully with 8 of the first 9 conditions of their consent at the time of this visit. The ninth condition, concerning groundwater tests, was recorded as being unmonitored with sampling being scheduled to take place in November 2000. To assist with the segregation of material from mixed loads Envirowaste propose to install a segregation platform. During the last monitoring visit it was reported that “all visible material in the landfill at the time of the visit was acceptable.”

Given the recent good report and the co-operative, if not always timely, efforts of Envirowaste to improve their operation, it appears that compliance is improving at the Owaka Rd pit. This appears to be in part due to regular monitoring visits and a good rapport established by the monitoring officer who is seeking continual improvement. Five monitoring visits were carried out in the 1999 calendar year, with 4 in the current year. From the monitoring record it is clear that compliance can vary from visit to visit and, while improvements have been made, these need to be on-going. Until a consistent record of compliance is established the current monitoring regime of a minimum of three visits per year is considered appropriate.

Future Use of the Site

Since negotiations with regards to the eventual use of the Envirowaste property have stalled, a separate proposal, to create a new pond on City Council owned land adjacent to the Envirowaste site, has progressed. Work has begun on the creation of new ponds on the adjoining site with the result that the Envirowaste pond will no longer be as essential for the retention of wetland habitat for birds. It appears likely that, at least for the immediate future, infilling of the Envirowaste pond will continue.

Conclusion

Until a consistent record of compliance is established, the current monitoring regime, of a minimum of three visits per year, will be continued. Where non-compliance is observed, Environment Canterbury will follow the procedures for increasing monitoring frequency. In addition, Environment Canterbury monitoring staff will continue to work with Envirowaste to improve compliance with the conditions of the Owaka Rd resource consent.

Recommendation: That the information be received.

**Chairman's
Recommendation:** +

Appendix 1: Envirowaste Resource Consent, Owaka Road

CONSENT NO: CRC970337

Description of Consent: To discharge contaminants onto land and into groundwater at or about map reference M36:728-382, from the deposition of hardfill material.

Location: OWAKA ROAD, CHRISTCHURCH

Grid Ref: M36:728-382

Legal Description: LOT 1 DP 51028

Granted: 12 September 1996 **Expires:** 12 September 2011

CONDITIONS

1. Material deposited in the landfill shall be restricted to inert fill. Inert fill includes concrete, chipseal, roading metal, dry asphalt, soil material, silts, sands, gravel, wire, tiles, roofing iron, glass, asbestos board, and timber, and up to five percent vegetative material of any one load by volume.
2. Asbestos shall be deposited at a rate up to 100 grams per tonne of inert fill per load. Asbestos shall be deposited in a dampened state and immediately covered with other inert material.
3. Warning notices which can be read from a distance of five metres shall be erected and maintained at all entrances to the landfill site. The notices shall state:
 - (a) groundwater in this area is vulnerable to contamination and is a source of drinking water;
 - (b) only inert fill, including concrete, chipseal, roading metal, dry asphalt, soil material, rubble, silts, sands, gravel, wire, tiles, roofing iron, glass, asbestos board and timber may be deposited at the site. General refuse or hazardous wastes are not permitted to be dumped at this site.
4. The delivery of material onto the landfill site shall be supervised by the consent holder or their representative at all times.
5. The landfill site shall be surrounded by fencing to prevent as far as practicable unauthorised discharge of material occurring.
6. All entrances to the landfill site shall be securely locked when the site is not supervised.
7. Asphalt and gib board shall not be deposited at the site below 17.8 metres above mean sea level. (This means that deposition is restricted to a level greater than one metre above the highest recorded groundwater level at this site).
8. Within three months of granting this consent, a monitoring well (minimum diameter of 100 millimetres) shall be installed on the down-gradient (in relation to the direction of groundwater flow) side of the site as generally indicated on the attached map (CRC970337).

The well shall extend into the unconfined aquifer, that is, to a depth of approximately eight metres. The well shall be screened over an interval of 0.5 metres above the highest recorded groundwater level at the site to 0.5 metres below the lowest groundwater level at the site. The well shall be made accessible to the Canterbury Regional Council for the purpose of groundwater sampling.

9. A representative sample of groundwater shall be taken from the monitoring well specified in condition (8) once annually. The sample shall be analysed for calcium, magnesium, sodium, potassium, bicarbonates, sulphate, manganese, iron, chloride, nitrate-nitrogen, ammonia-nitrogen, conductivity, pH, faecal coliform bacteria and total petroleum hydrocarbons.

The laboratory carrying out analyses required under this consent, shall be accredited to ISO Guide 25 for those analysis either by Telarc or by an organisation with a mutual recognition agreement with Telarc established in accordance with ISO Guide 58. The results of these analyses shall be provided to the Canterbury Regional Council within two months of the sample collection.

10. The Canterbury Regional Council may annually, on the last working day of September, serve notice of its intention to review the conditions of this consent for the purposes of:
 - (a) dealing with any adverse effect on the environment which may arise from the exercise of the consent and which is appropriate to deal with at a later stage; or
 - (b) requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment; or
 - (c) complying with the requirements of a relevant rule in an operative regional plan.
11. Charges, set in accordance with Section 36 of the Resource Management Act 1991, shall be paid to the Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its functions under Section 35 of the Act.