

Compliance Assessment Report

Report ID:
CAR_NRW0034450

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

Site	Bryn Posteg M R F	Permit Ref	UP3995CV			
Operator/Permit holder	Sundorne Products (Llanidloes) Ltd					
Regime	Waste Operations					
Date of assessment	17/12/2018	Time in	11:30	Out	13:30	
Assessment type	Audit					
Parts of the permit assessed	All below					
Lead officer's name	Ellis, Rhys					
Accompanied by	Haf Paskett					
Recipient's name/position	David Williams/ Technical manager	Date issued	14/01/2019			

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.1.2
C1 - General Management - Staff competency/training	C3	1.4
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	1.4

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)	12
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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

Thank you for your time during the visit.

B3 – Site drainage engineering (clean and Foul)

Significant concerns were raised during the visit regarding the substantial amount of ponded water accumulated within the waste transfer area (including the MRF building) which clearly was creating operational issues on site.

Permit condition 2.1.2 stipulates, that the engineered site containment and drainage system shall be designed, constructed , inspected , validated and maintained and shall be fully documented and recorded, to be fit for purpose and meet the standards specified in section 2.1 of the working plan.

Your working plan references pumping the yard runoff to the effluent treatment plant on site.

The drainage system is not maintained as it should be, leading to this permit breach. The operator advised that diverting the surface water in the ditch along the northern haul road of the landfill to the leachate treatment system has put strain on the effluent treatment plant (ETP) capacity, thus reducing the amount that can be pumped from the MRF to the ETP.

If contaminated water cannot be safely discharged to the ETP without causing other breaches of permit, then the operator should consider other methods of disposing yard runoff appropriately such as tankering off site to a licenced facility with immediate effect.

Due to the issues noted today a **CCS breach of 3** has been noted under condition 2.1.2

Action 1 Site to dispose of contaminated water appropriately with immediate effect. Site to update NRW with a progress report in regard to this with supporting documentation

Action 2. Operator to provide details of how they will ensure similar incident will not happen again in future.

Please forward this information no later than 23rd January 2019



Photograph 1



Photograph 2

G4 - Reporting and notifications

Our records indicate that the operator has not supplied any information in regard to waste accepted and removed from site since those relevant to Q4 of 2017.

Condition 4.2.2 of the permit is therefore breached and a **CCS score of 3** is applied.

Action 3 - Please forward all of the 2018 information no later than 31st January 2019

C1- General Management – Staff competency/ training

Permit condition 1.4 stipulates the requirements for staffing and understanding of requirements of licence and working plan. The permit breaches noted in this compliance assessment report form raise concerns about the awareness of permit conditions, Working plan and associated procedures and plans, by the Directors and relevant site personnel. There appears to be a lack of understanding of the permit requirements and a failure either to follow relevant procedures or have adequate procedures in place which has resulted in breaches of permit conditions noted above.

As a result a **CCS score of 3** is applied under condition 1.4 of the permit.

EPR Compliance Assessment Report

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Operator/Permit holder	Sundorne Products (Llanidloes) Ltd	Date	17/12/2018

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
C1	C3	see actions in CAR form	23/01/2019
G4	C3	See actions in car form	31/01/2019
B3	C3	See Actions in car from	23/01/2019

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.