

Compliance Assessment Report

Report ID:
CAR_NRW0034377

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

Site	Bryn Posteg Landfill	Permit Ref	BU77661C		
Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd				
Regime	Installations				
Date of assessment	27/11/2018	Time in	09:40	Out	13:30
Assessment type	Audit				
Parts of the permit assessed	All mentioned below				
Lead officer's name	Ellis, Rhys				
Accompanied by					
Recipient's name/position	David Williams/ Technical manager	Date issued	21/12/2018		

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
E2 - Emissions - Land and groundwater	C3	3.1.1
E3 - Emissions - Surface water	C2	3.1.2

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	2	Total compliance score (see section 5 for scoring scheme)	35
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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

A visit was held on site today between the operator Sundorne products (Llanidloes) Limited, Severn Trent water and Natural Resources Wales to discuss trade effluent compliance.

Present from Sundorne Products (Llanidloes) Ltd was Technical Manager - David Williams, Commercial waste advisor - Andrew Morgan of Hafan Dyfrdwy and Regulatory Officer, Rhys Ellis of Natural Resources Wales.

Andrew Morgan talked through the compliance history and the remedial action plan that's currently in place between the operator and Severn Trent to track ongoing actions to improve compliance at Bryn Posteg's trade effluent discharge to sewer.

It was encouraging to hear that the Siemens MAG flow meter is now relaying to the SCADA system enabling flow data to be recorded and captured. The operator also advised that they have changed the flowmeter to one that has an MCERT certificate. A copy of the certificate was forwarded to NRW on the 10th December 2018. Please ensure that this piece of equipment is added to your critical equipment list and is calibrated in accordance with manufactures recommendations.

It was however explained that due to the configuration and set up of the pump to the flow meter, the flow is not steady. The pump occasionally runs dry and readings as a result have been spurious. Although the pump has been throttled back to reduce the span of spurious data, more work is required to make the data reliable. The operator has a proposal to resolve this issue which involves installing a holding tank/IBC to provide constant flow of trade effluent through the discharge meter for validated volumetric meter readings (m3).

As previously discussed it is a requirement under condition 1.1.1 of your permit that you must operate in accordance with your leachate management plan which stipulates that the site's flow meter will be recorded via the SC100 system. The current data collected is not reliable and would be regarded as a breach of this condition.

ACTION 1

It was agreed that the operator will be looking into resolving this matter within the next month. Please confirm no later than 18th January that this has been completed.

ACTION 2

Please provide a couple of weeks data to illustrate the data that is now captured on the system. Please forward this no later than 18th January 2019.

Amongst some of the other actions that came out of our discussions were:

ACTION 3

- A) It was agreed that the operator would increase COD sampling on leachate to get a better understanding on the trends and patterns before they become an issue. Amongst some of the suggestions discussed was to, increase COD monitoring to weekly on the Balancing Lagoon and Cell 9D and on any other locations the operator deems necessary.
- B) The Leachate Management Plan should be updated to reflect the above with immediate effect. Operational procedures and daily checklist should also be updated. Completed records should be kept for audit purposes.

It was stipulated by the operator that since the repair work has been undertaken on the leachate treatment lagoon the COD reduction has improved. The operator suggested that the de-sludging and introduction of new media had contributed significantly to this improvement. It was stated that full de-sludging on the lagoon has never been undertaken before.

ACTION 4

The Leachate Management Plan should be updated to have a section covering the monitoring of sludge within the treatment lagoon to ensure that sludge performance parameters are at their optimum condition. It should also cover de sludging procedures and details of how often this would be occurring. The Operator advised that there are plans to de-sludge more often now (once every 2 years suggested). Please note this should be done sooner if monitoring and performance of the treatment lagoon dictate otherwise.

High strength leachate

It was discussed that as part of contingency planning there is now a designated area within the site to transfer high strength leachate (Particularly high COD) from Cell 9D to tankers.

Your Leachate management plan should be updated to reflect this. Please note that contingency planning should be considered for any other sources of high strength leachate on site.

Outstanding Actions from CAR form Reference NRW0033657

As discussed on site there were actions raised from the audit conducted on site on the 10th July 2018. Some of these are now significantly overdue. It was agreed that the operator was to provide a full detailed response to each individual action. This was to be provided no later than 7th December 2018.

A response was received on the 10th of December. NRW will review and respond accordingly.

Following the meeting an inspection was carried out on site. A Code B notice was issued reference 00308. The following was noted:

Surface water

There was heavy rainfall during the site visit and the surface water drain located near the weighbridge area appeared heavily discoloured (See photograph 1). The manhole for surface water monitoring point P2 was inspected. A formal sample was taken (Sample receipt ref 00629) which appeared significantly turbid and discoloured (see photograph 2). On visual inspection it was suspected that this would be breaching the emission limit values in the permit. Results of the laboratory analysis of these samples are in the below table.

Sample	Parameter	Emission Limit Value	Permit Limit
Sample taken from Surface water discharge P2 Bryn Posteg landfill	Ph	7.34 mg/l	6-9
	BOD	12.3 mg/l	20mg/l
	COD	268 mg/l	
	Ammonia	<0.5 mg/l	0.25 mg/l
	Suspended Solids	1410 mg/l	50 mg/l
	Chloride	35.5 mg/l	

In summary suspended solids are 28 times the permit limit. As a result, the operator has breached condition 3.1.2 of the permit.

Due to the significant breach of permit limits and a significant risk of pollution a CCS score of 2 has been noted.

Natural Resources Wales still continue to have concerns regarding the continual breaches of emission limit values with regards to surface water.

ACTION 5

Site to monitor surface water closely and take the necessary steps to mitigate the impact of the pollution on receiving watercourse. Site to consider and implement further temporary measures to reduce the impact to receiving water and should increase monitoring in the interim.

The operator did advise that some of the contaminated surface water draining from the north eastern part of the haul road has now temporarily been diverted to the leachate treatment system. PLEASE NOTE - regulatory officer expressed concerns on the impact of this on the leachate treatment system capacity (which already is at or near capacity), therefore careful management and monitoring is required on the system to ensure other breaches of permit or further environmental impacts do not occur.

The operator has been issued with a Regulation 36 notice to take specified steps in relation to the breach of permit condition associated with the surface water issues for P1 and P2. The deadline of this notice is 9th April 2019.

ACTION 6

Operator to submit a detailed update on progress made with regards to the above matter. This should be provided to NRW no later than 15th January 2019.

Leachate treatment and balancing lagoons

Both leachate lagoons appeared full (See photographs 3, 4 and 5). The balancing lagoon in particular had minimal free board. The site should ensure that this is monitored carefully and that a contingency plan is in place to deal with excess flows to the system to

avoid breaches of permit or environmental impacts.

The fact that these lagoons were at full capacity during the visit is of grave concern considering that heavy rainfall is expected at this time of the year.

ACTION 7

Site to ensure that there is adequate free board within both lagoons.

Containment around leachate treatment structure

There was leachate leaking and flowing across the concreated area around the leachate treatment structure to impermeable ground. This should be contained. Operator advised that there are actions planned to contain this including the construction of sleeping policemen etc. Please note that the site should review the whole area around the leachate treatment structure.

The discharge of leachate to ground is a breach of permit condition 3.1.1, this condition stipulates that there should be no emissions to ground except emission points listed in schedule 3 tables of the permit.

A CCS score of 3 has been applied on this occasion.

ACTION 8

Operator to stop this discharge to ground and provide an update to NRW of what long term actions will and have been taken to resolve this issue no later than 15th January 2019.

Sump located below Leachate Treatment Lagoon

Discoloured liquid was still evident within the sump (see Photograph 6). Reference was made to CAR form reference NRW0034092 which require responses in regards to this no later than 21 December 2018.



Photograph 1– Surface water drains on site.



Photograph 2 – Formal sample taken from P2.



Photograph- 3 and 4 - Leachate Balancing lagoon



Photograph 5 – Leachate Treatment Lagoon.



Photograph 6 – Sump below leachate treatment lagoon.

EPR Compliance Assessment Report

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Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	27/11/2018

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			
E2	C3	See Actions in CAR form	15/01/2019
E3	C2	Comply with permit condition and also see Action in CAR from	15/01/2019

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.