

Compliance Assessment Report

Report ID:
CAR_NRW0034962

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	09/04/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	4.2.2				
Lead officer's name	McClymont, James				
Accompanied by					
Recipient's name/position	David Williams / Tony Webber/ Technical Manager / Site Manager	Date issued	11/04/2019		

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
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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

Annual Monitoring Review (January - December 2018)

We have reviewed the above report submitted with regard to Permit condition 4.2.2.

Reporting

Condition 4.2.2 requires that a report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year.

The report was due with NRW at the end of January 2019. I e-mailed you on 01/02/2019 reminding you of the deadline. You read this e-mail on the same day, but you did not provide a response.

This breach has been scored a CCS Category 4 breach of permit.

The report had still not been received by the 06/03/2019. Due to this breach of Permit, we issued a Regulation 36 Notice to you requiring submission of the report by 09/04/2019.

The report was then received via e-mail on 08/04/2019.

Action 1: You must ensure that reporting deadlines are adhered to. Provide NRW with a copy of your procedure(s) regarding reporting by 30/04/2019.

Landfill Gas

Perimeter landfill gas permit limit exceedances have been scored in separate CAR forms for each quarter.

Table S3.8 requires that the concentration of trace gas components shall be assessed against the assumptions made in the Landfill gas risk assessment and dispersion modelling. This assessment has not been undertaken as part of this report.

Action 2: Provide NRW with an assessment of the trace gas monitoring carried out on 15/01/2019 by 31/05/2019. Also outline the following:

- Who carried out the monitoring?
- Was the methodology in LFTGN04 'Guidance for monitoring trace components in landfill gas' utilised?
- Which sampling point was utilised for the monitoring?

Table S3.2 requires annual emissions monitoring at the flare. This information was not included in the monitoring report.

Action 3: Confirm whether this monitoring was undertaken, and if so provide NRW with the results, by 30/04/2019.

Groundwater

Permit breaches related to groundwater monitoring have been scored in separate CAR forms for each quarter.

Leachate

Permit breaches related to leachate monitoring have been scored in separate CAR forms for each quarter.

Surface Water

Permit breaches related to surface water monitoring have been scored in separate CAR forms for each quarter.

Dust

Dust concentrations remained below the permit limit of 200 mg/m²/day at all locations in 2018.

Annual Production / Treatment

Leachate disposed to sewer has decreased slightly from 28,844 m³ in 2017 to 27,066 m³ in 2018. Leachate disposed of to any offsite effluent treatment plant has also reduced from 6,975 m³ in 2017 to 5,142 m³ in 2018.

Performance Parameters

Energy used in 2018 was 650 MWh, which considerable more than that used in 2017- 130 MWh.

Action 4: Provide NRW with an explanation for the significant increase in energy usage during 2018, by 30/04/2019.

EPR Compliance Assessment Report

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Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	09/04/2019

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			
G4	C4	See comments section	30/04/2019

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.