

Compliance Assessment Report

Report ID:
CAR_NRW0035619

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	24/07/2019	Time in	10:00	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 / Tony Webber/ Technical manager/ Site manager	Date issued	23/08/2019		

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
A1 - Specified by permit	C2	2.1.1
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	3.2.1
C2 - General Management - Management system and operating procedures	C3	1.1.1

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)	39
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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 time during the visit

Please see below a summary of the main points discussed during the visit.

Leachate Treatment Plant and discharges to sewer.

A discussion was held by Severn Trent Water on the Trade Effluent consent compliance.

The flow monitor has not been operational recently but is now up and running, however there still remains to be an outstanding issue in relation to the flow monitoring not recording and logging instantaneously as stipulated in the leachate management plan which also is a permit requirement.

Failure to monitor leachate flow in accordance with your leachate management plan is a breach of permit condition 1.1.1. A CCS breach of 3 is noted under 1.1.1.

Action 1

- Operator to confirm timescales for resolving the outstanding instantaneous monitoring issue
- Operator to review servicing and maintenance schedule for the flow meter and update Leachate Management Plan accordingly.
- Operator to review calibration schedule for the flow meter
- Operator to consider the installation of this flow monitor to be MCERTS certified.

Please respond to the above points no later than 23rd September 2019.

Chemical Storage



It was encouraging to see today that 2 bunded tanks have been installed on site on a concrete pad near the Leachate treatment lagoon. It was explained to the officer that this will avoid the need to store Ferric Chloride and Sodium Hydroxide currently stored in IBC's which is contrary to the permit condition. It was explained that the aim is to change to automatic dosing of these substances in the leachate treatment process. As discussed, please could you keep NRW updated on these matters and update the leachate management plan and associated operating techniques to reflect these changes. Please also include commissioning dates for these tanks.

Action 2

Discussion was held on containment during deliveries etc. It was agreed that the operator will provide details on the design/specification of the tanks and confirm where the filling points to these tanks are. Please provide this information no later than 6th September 2019.

Odour

The weather was dry, warm and sunny with a slight breeze. Wind direction was southerly, south westerly. No odour was detected off site. These checks were conducted at around 9:50 before going on site.

Odour/emission sources

A landfill gas 'odour pocket' was noticed in the vicinity of the Biomass boiler, the waste compost heap and towards the top of the landfill.

Action 3

The Operator was requested to investigate this and feedback findings by 5th August 2019. Unfortunately, no response has been received. Please respond no later than 6th September 2019.

RMLP9C North.



A potential point source emission has been previously noted from this chamber as seen in the photograph above (heat haze was noted deriving from this chamber during the last inspection, particularly around a pipe on the headworks). It was evident today that this was still not sealed.

Action 4

Please can the site investigate this to reduce the risk of this becoming an emission/odour issue, this chamber might be a contributing to the odour detected on site today. Please can you investigate this matter and respond with findings and remedial actions no later than 6th September 2016.

Condition 3.2.1 of the permit stipulates that emission of substances not controlled by emission limits shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, those emissions. Appropriate measures were not in place to contain gas emissions. Therefore, this condition has been breached. In the absence of GAZOMAT survey results, a CCS score of 3 is applied on this occasion. However please note, due to the polluting nature of landfill gas there is a risk of a CCS 2 breach (potential significant environmental effect) from this chamber.

Gas extraction in 9D.

Action 5

As discussed on site, Gas Management should be monitored carefully in this location and every effort should be taken to improve gas extraction efficiency to avoid breaches of permit.

NRW also require the operator to continue providing raw data alongside a summary report of the performance of the gas wells within 9D. This to include summary of gas balancing data, leachate dip (i.e dip to water and dip to base). The operator should confirm which wells are extracting efficiently and details of which ones that are not and the reason for this and actions to be taken with timeframes.

NRW has received part responses to the above (last correspondence being 01/08/2019). The leachate dip information confirms that leachate levels are high (this likely to be reducing efficiency of gas extraction in the cell). It would however be useful to receive a detailed summary report for the overall gas extraction performance of cell 9D incorporating gas balancing data, well performance as mentioned above etc. This response, should include details of any further proposed improvements in this area

Please respond no later than 6th September 2019.

Please note that it is likely that NRW will be undertaking a detailed inspection in and around 9D in our next inspection.

Please note the non-compliances associated with the leachate levels is covered in a separate CAR Form reference NRW_35522

Action 6

Could you also confirm

- Where the in waste Gas Wells currently being monitored (listed in your Excel Spreadsheet attached in email dated 01/08/2019) for leachate are located (they do not all appear to be on the current infrastructure plan). Is there an updated infrastructure plan and phase layout that include these?
- Why only a selection of Gas Wells in 9D are monitored for leachate?
- Provide an update to the outstanding action in regard to clarifying which Gas Wells correspond to what Gas Well reference number (drill log) in the CQA report as the reference numbers differ. This has now been an outstanding action for a considerable amount of time.

Please respond no later than 6th September 2019.

Action 7

With the autumn/winter months upon us, with increased rainfall expected the operator should ensure adequate leachate control is in place across the site (particularly cell 9D being it an open cell). In regards to cell 9D the operator should assess the options to reduce rainfall ingress onto the open cell and provide outline proposals to NRW no later than 23rd September 2019.

Storage of compost.



The significant amount of waste compost is still evident on the cap. It has been confirmed that this is waste due to the fact that the majority has not reached PAS 100 status and therefore is a breach of the suspension notice. Permit condition 2.1.1 also stipulates the operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the activities). Storing waste on the cap of the landfill is not a permitted activity. Please also note that storing material on the cap in this manner has the potential to damage the capping infrastructure on this location.

In addition to this, due to the quantity of compost stored here there is a risk of runoff as has been previously witnessed. The other concern is the potential fire risk exacerbated by the fact that it is stored in one single pile with no fire breaks.

As a result, a CCS breach of 2 is applied on this occasion due to the breach having a potentially significant environmental effect (Runoff to controlled waters, fire risk and damage to landfill cap exacerbated by the quantities and duration the compost has been stored here)

Action 8

There has been a previous action in regard to this matter for the operator to detail what actions will be taken in regard to the composted material.

The perator has partly responded to this on the 22/07/2019. However, it was discussed during the visit that the operator needs to provide additional information to this response which will be forwarded to NRW. In an email dated 26/7/2019 the operator was advised to respond to this matter no later than 5th August 2019. In the interim no further waste compost should be deposited on the landfill.

Unfortunately, no response has been received. Please respond no later than 6th September 2019.

Contaminated runoff from phase 1

There was no discharge flowing from an excavated area within phase 1 today. It appeared that the liquid level within the excavated hole was low.

Action 9

Operator to submit details of long term solution to the management of contaminated water from this area. During our meeting on the 2nd of July, it was discussed that the Operator would include proposals for the management of this water within the updated CQA plan for the proposed gas trench in Phase 1. Please submit by 31st August 2019.

Emergency works

It was explained that there is wind damage again to the emergency works on phase 9D. Operator explained that repair works are planned.

Action 10

Operator to inform NRW when the works are complete.

Biomass Boiler.

It was explained today that the feed hopper to the boiler had sheared off and as a result the boiler was out of service. The boiler is used to heat the leachate within the leachate treatment system. However the operator explained that the warm weather currently being experienced has helped to alleviate any major drop in temperature to the treatment lagoon which in turn has helped to keep the performance fairly steady.

Action 11

Please can the operator provide timescales for the repair to the boiler. Please complete a PART A and B notification form for this event. Please action no later than 23rd August 2019.

Sump 9X.

There was no discharge occurring from this chamber today. You advised that Investigations are underway on the feasibility of creating a connection to the gas extraction system to prevent venting from the chamber.

Action 12

As discussed please could you provide an update on your investigations in regards to methods of preventing venting from this chamber.

It would be prudent to refer to NRW email response dated 10/07/2019 which had additional queries and actions around 'Sump 9x'. We have not received a response to this matter (There was 2 Actions labelled 'F' on NRW e-mail dated 10/07/2017). Please respond no later than 23rd August 2019.

Leachate treatment lagoon and balancing lagoon



Action 13

It was explained that 'high level alarm' has been installed on the leachate treatment lagoon however this is still awaiting connection. It would be useful when you're in a position to do so to provide further information on how this works and update the Leachate Management Plan accordingly.

Action 14

It was also discussed that the operator would consider the feasibility of installing a high-level alarm on the leachate balancing lagoon. NRW consider a high level alarm essential as this lagoon is regarded as a risk due to the fact that historically there have been several occasions of overtopping.

Please can the operator provide the outcomes of these discussion no later than 6th September 2019.

Action 16

There was free board evident within lagoons today. Levels appeared lower than has been previously noted in the balancing lagoon which is encouraging.

No markers present yet on the lagoons as stipulated in the LTP.

Please can the operator provide timescales for this work by 6th September 2019.

Containment around Leachate treatment plant.

There is still an outstanding action in relation to containment work around the leachate treatment lagoon. Please note that all areas of impermeable surfaces in the vicinity of the plant should be protected from any risk of contamination and to avoid breaching permit condition 3.1.1 which stipulates that there should be no point source emission to ground.

Action 17

Please keep NRW updated in regard to this matter.

Other progress/ development on site:

Contaminated oversized green waste

Work seems to have ceased in removing the deposit of oversized unscreened green waste located on the capping of the landfill.

Action 18

Operator to provide an update to NRW on this matter and provide timescales for completion of this work no later than 6th September 2019



EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035619**

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

Site	Bryn Posteg Landfill	Permit Ref	BU7766IC
Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	24/07/2019

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			
C2	C3	See Action 1	23/09/2019
A1	C2	See Action 8	06/09/2019
B1	C3	See Action 4	06/09/2019

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.