

Compliance Assessment Report

Report ID:
CAR_NRW0035833

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	23/10/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	All below				
Lead officer's name	Ellis, Rhys				
Accompanied by					
Recipient's name/position	David Williams / Tony Webber/ Technical manager/ Site manager	Date issued	25/10/2019		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	X	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Bryn Posteg Landfill Site, Replacement Leachate Extraction Wells, Construction Quality Assurance (CQA) Validation Report dated July 2019 (submitted to NRW 07/10/2019).

Condition 2.5.7 in Permit EPR/BU7766IC, requires that the Operator shall submit a CQA Validation Report as soon as practicable following the construction of the relevant landfill infrastructure

We have examined the CQA Validation Report for the replacement of Leachate Extraction Wells at Bryn Posteg Landfill Site. The report provides details regarding drilling and installation of 7 leachate extraction wells and 2 remote leachate monitoring points. The works commenced on the 23rd of April 2019 and were completed on the 13th June 2019.

We have a few comments regarding the report, which we would like some further information regarding.

Please see below:

- There is no reference in the CQA validation report on details on well head installation. The CQA report should be updated to include this.
- Section 2.1.19 to 2.2.21 references the installation of the boot / capping wellhead. The validation report should be updated to include this and should include details and records of CQA supervision for the work as stipulated in the CQA plan.
- Does the operator hold welding records to demonstrate successful butt-fusion welding of joints? (Those summarised in Table 1 page 6).
- In Section 5.1.2 of the validation report it is noted drilling commenced in error at locations that had been identified as being unsuitable. Could the operator provide an explanation of why this happened?
- In Section 5.1.3 of the validation report it is noted that new locations for wells RMLP9A and RMLP9D were not surveyed. Best practice would have been for these to be surveyed prior to drilling.

Action 1: Operator to address comments above and submit a revised CQA plan no later than 29 November 2019.

Operator's future works/improvements to leachate monitoring and monitoring point assessment.

NRW view the installation of these leachate wells as on going improvement in regards to leachate management on site. NRW will continue to review the operators compliance in regards to leachate monitoring infrastructure and monitoring methodology in accordance with (but not limited to) the permit and relevant guidance (LFTGN02) including any further actions highlighted by the operator previously such as those in your leachate management plan (in particular Section 4 and 5 of Appendix 8) and Caulmerts correspondence in regards to this matter.

Please note additional monitoring points and controls may be needed if leachate levels (perched or otherwise) cannot be controlled adequately

EPR Compliance Assessment Report

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Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	23/10/2019

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.

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			
B1	X	See actions in CAR Form	25/11/2019

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.