

## Compliance Assessment Report

Report ID:  
CAR\_NRW0033997

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	15/11/2019	Time in	11:27	Out	14:10	
Assessment type	Site Inspection					
Parts of the permit assessed	Site Walkover - See details in report					
Lead officer's name	Ellis, Rhys					
Accompanied by	Cubley, Lara					
Recipient's name/position	David Williams / Deborah Hall/ Technical Manager/Environment Health & Safety Compliance Manager	Date issued	06/02/2020			

### 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
<b>KEY:</b> See Section 5 for breach categories, suspended scores will be indicated as such. <b>A</b> = Assessed or assessed in part (no evidence of non-compliance), <b>X</b> = Action only, <b>O</b> = 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

Natural Resources Wales visited the Bryn Posteg site on the 15th November 2019 for an inspection that covered the different Permitted areas. This Compliance Assessment Report (CAR) relates only to the landfill operations covered by Permit BU7766IC.

Prior to arriving on site a perimeter check was conducted in order to assess any odour impacts and conduct a visual check of the Afon Bradnant. No odour was noted off-site to the north east and the plume from the biomass boiler was clearly visible. The Afon Bradnant was clear at the point where it crossed the road but did look a bit discoloured with suspended solids at sample point P2. The slight discolouration was emanating from the lagoons in the eastern corner of the site but the flow in the ditch running in a southerly direction along the eastern site boundary to meet the Afon Bradnant just prior to P2 was clear.

A slight burnt and fresh waste odour was noted off site downwind and to the south east.

On arrival to site and signing in we were informed that an issue had occurred where the stream near the site entrance had flooded the MRF. Please see Compliance Assessment Reports for Permit UP3995CV.

A site walkover was conducted. Elements to note were as follows:

- There was no leachate or gas extraction from the landfill.
- Bubbling up of gas through the cap was noted in close proximity to the stockpile of compost and GW43 Phase 5.
- There was a concerning lack of freeboard at the leachate balancing lagoon. The Operator since informed us on 18/11/19 that leachate extraction had temporarily stopped due to the lack of freeboard at the leachate balancing lagoon.
- The newly installed gas trench Phase 1 did not appear to have had capping materials placed and compacted meaning that preferential pathways had been eroded by surface water infiltrating the waste mass.
- The south eastern corner of the leachate balancing lagoon had signs of instability in the form of cracking with a lack of vegetation cover.

**ACTION 1:** The Operator is to submit the CQA validation report for the gas trench and ensure surface sealing/compaction of capping as soon as possible and no later than 31/03/20.

**ACTION 2:** The Operator should employ a suitably qualified engineer to assess and monitor the potential instability at the leachate balancing lagoon and provide a report of this assessment by 31/03/20.

**ACTION 3:** The Operator should keep NRW updated regarding the impact of the flooding on operations associated with the landfill, i.e. gas/leachate management, waste reception and the ability for the trommel to operate.

No non-compliances have been logged as a result of the high levels of rainfall and flooding incident on the MRF. The Operator is advised to ensure such incidents are notified to NRW in the future.

## EPR Compliance Assessment Report

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Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	15/11/2019

### 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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### 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			

## 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](mailto: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.