

Compliance Assessment Report

Report ID:
CAR_NRW0036490

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	12/02/2020	Time in	10:15
Assessment type	Audit	Out	15:15
Parts of the permit assessed	Environmental Management Sysytems & Waste Acceptance		
Lead officer's name	Cubley, Lara		
Accompanied by	Oakes, Ian,Dines, Malcolm,Park, Liz		
Recipient's name/position	David Williams / Deborah Hall/ Technical Manager / EH&S Compliance Manager	Date issued	17/04/2020

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
B5 - Infrastructure - Plant and equipment	C2	1.1.1 & 1.1.2
C1 - General Management - Staff competency/training	C2	1.1.1
C2 - General Management - Management system and operating procedures	C2	1.1.1
C3 - General Management - Materials acceptance	C2	2.6.1(g) & 7.2.3

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	4	Total compliance score (see section 5 for scoring scheme)	124
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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

1. Introduction

Natural Resources Wales conducted an announced pre-audit visit and site familiarisation to Bryn Posteg on the 22nd January 2020. This was followed by a one-day audit of Waste Acceptance and Environmental Management Systems on the 12th February 2020.

This Compliance Assessment Report (CAR) summarises the audit.

Sundorne Products (Llanidloes) Limited is the Operator for the four Permitted Sites at Bryn Posteg; landfill, MRF, engines and compost facilities. For the purpose of this audit a CAR has been produced under the landfill permit detailing the audit across all 4 Permits. However, a further CAR to log the non-compliances has been produced for the MRF, engines and compost permits, which will refer back to this CAR.

2. Environmental Management System

2.1 Scope

Sundorne Products (Llanidloes) Limited is owned by Potters Waste Management Limited with the associated group of companies having reportedly expanded over recent years. The Operator has reported that the Environmental Management System covering the landfill, MRF and engines permit is common. It is understood that there is a separate environmental management system for the composting permit that also looks to satisfy the requirements for BS PAS 100 certification, which the Operator is looking to achieve shortly.

The Operator is in the process of improving the Environmental Management System (EMS) at Bryn Posteg. The Operator is reportedly introducing elements of their Telford landfill Integrated Management System (IMS) to strengthen the Bryn Posteg landfill's EMS. At the time of the audit the environmental management system employed for the Bryn Posteg site had no formal certification or independent verification to a recognised standard, i.e. Green Dragon or ISO 14001.

The Operator was given guidance and signposting to the Green Dragon environmental standard which is administered by Groundwork. A summary of findings is provided below under various headings/subheading of subjects covered during the audit.

2.2 Environmental Policy

The Operator provided 2 policies:

- Environmental Policy Statement (Potters Group) signed by the Managing Director and dated 06/03/19; and
- Environmental Policy (Potters Group) Draft unsigned and not dated.

It is recommended that only one policy is available, which is a controlled document, signed and dated.

2.3 Management Organogram/Roles & Responsibilities

A document called 'Organisational Chart for Potters Group Ltd' was provided. This document was not dated and did not contain a unique reference number for document control purposes. Document control and version management is an important aspect of a management system. This same issue was noted with several key documents provided throughout the audit.

ACTION 1: The Operator must ensure that records required by the Permit are controlled by a document management system. The Operator shall provide NRW with a summary detailing the document control system to be used to ensure compliance with permit condition 1.1.1 General Management and 4.1 Records by 31/08/20.

ACTION 2: The Operator must ensure that all staff likely to use or create such controlled documents are trained in this procedure by 31/08/20 and documentary evidence confirming this is submitted to NRW (also see action 17 below).

The Organisational Chart only contains the top levels of management. Through discussions it became clear that the accuracy of this organisational chart was perhaps not representative of the organisation. The Operator agreed to update this. **It is recommended that the Organisation is clear about its structure and that the Organisation Chart be updated and signed up to by company Directors.**

No organisational chart was available for the Bryn Posteg Site and there were no roles & responsibilities available with respect to the environment. However, some individual procedures made reference to specific roles being responsible for conducting certain activities. Condition 1.1.1 requires the operator to manage and operate the activities using sufficient competent persons and resources. This requirement is expanded upon in NRW guidance: 'How to Comply with your Permit' which in relation to management and sufficient competent persons states, 'Make sure your staff have clearly defined roles & responsibilities'.

ACTION 3: The Operator must develop and document clearly defined roles and responsibilities as part of their EMS. These should be centred around operation of the site to ensure compliance with the permit and associated skills/training required. The Operator should submit documentary evidence of this by 31/08/20.

2.4 Environmental Aspects

The Operator provided 'Environmental Review and Aspects Register Procedure' defining how the aspects register is formulated. **Again, it is recommended that this document be controlled with a date, version control and ownership.** This procedure is followed to produce the aspects register. It identifies and ranks the various aspects using a scoring system that takes into account legislation, environmental damage, scale and frequency added together to arrive at a significance rating.

The aspects register document reference BP EMS-3-13.00 dated 06/02/20 was provided. It was encouraging to see that this was a controlled document. It was noted that legislation referred to was, 'Environmental Permitting (England and Wales) Regulations 2007 & 2010'. This legislation has since been updated, which lead to a discussion regarding how the Operator keeps up to date with emerging legislation.

ACTION 4: The Operator must define how they will keep up to date with relevant environmental legislation as part of their EMS requirements, or indeed identify and evaluate legal requirements. The Operator must report in writing to NRW summarising how this has been addressed by 31/08/20.

2.5 Objectives & Targets

A document for 'January 2020 Objectives and Targets' was viewed. We discussed the targets to reduce combined perimeter gas by 25% and water consumption by 25%. It is encouraging to see some ambitious targets set. Whilst it would be easier to determine the target on water consumption through bills, it was clear that these objectives and targets had yet to be clearly defined and that no management programmes with monitoring had been implemented yet.

ACTION 5: The Operator must ensure targets are SMART (see NRW 'How to Comply with your Environmental Permit' guidance). Targets should be time bound, specific/defined and calculated with associated management and monitoring plans communicated. Monitoring against achieving such targets is recommended on a monthly basis or at least quarterly. The Operator should submit documentary evidence of this by 31/08/20.

This was the first round of setting environmental objectives and targets. No reporting of such targets from previous years was available.

2.6 Monitoring/Auditing

It was reported that monitoring is generally undertaken by the on-site technician with some monitoring, i.e. leachate conducted by contractors. No formal internal or external auditing plan to check and ensure the management system was being followed was available. The Operator did provide an outstanding report requested by NRW, 'Gas Extraction Audit, November 2019' undertaken by their consultant. This report addresses elements of improvement actions and Action Plan B (perimeter borehole exceedance) required by the Operator's Gas Management Plan.

ACTION 6: The Operator must develop a plan of audits to check that their procedures are implemented, and the management system is being adhered to. Documentary evidence of such a plan must be provided to NRW with clear procedures for auditing and reporting by 31/08/20.

2.7 Continual Improvement & Corrective Action/reporting

The Operator provided 2 template forms used for non-conformance reporting but no procedure was available as part of the management system regarding the limits/requirements for use of such forms. Some of the Operator's procedures required by the Permit and covering monitoring (i.e. Leachate Management Plan) reference informing NRW and submitting a 'Schedule 5 notice' within set timescales required as a result of a permitted trigger limit breach.

Currently, the Operator does not have a written system or records within their EMS which demonstrates that pollution risks are minimised and improved arising from incidents and non-conformances in contravention of Permit Condition 1.1.1. The Operator is also unable to demonstrate compliance with Permit Condition 4.3 Notifications. This non-compliance has already been noted in Compliance Assessment Report CAR_NRW0036059. It is a legal and Permit requirement to report permit non-compliances or incident and accident which significantly affects or may significantly affect the environment. The process of investigation, root cause analysis and taking measures necessary to prevent recurrence is also partly a Permit requirement but also a very important part of an EMS in continual improvement and preventing a similar incident occurring again.

ACTION 7: The Operator must produce a written procedure for non-conformance, non-compliance, accidents and incidents which meets the requirements on the Permit. This should include defining when reporting is required with timescales for reporting. It should also include investigation and reporting

requirements. This procedure should be made available to NRW by 31/08/20.

ACTION 8: The Operator must ensure all those with roles & responsibilities associated with this procedure are trained (also see action X below). Documentary evidence of this shall be submitted to NRW by 31/08/20.

2.8 Complaints Procedure

A company wide Potters Group Complaints Policy & Procedure was made available. In terms of specific odour complaints at Bryn Posteg there is an Odour Management Plan (Document reference: 3033-CAU-XX-XX-RP-V-0303-A0-C3) covering the site as a whole. Section 5 describes how odour complaints are dealt with and reported using the form in Appendix 2 with the responsibility dedicated to the Site Manager. We requested to see the form from Appendix 2 populated for the odour complaint received and passed to the site for investigation on 10 December 2019. However, this was not available, and the Technical Manager said that they have not been using this form. The site manager was shown the form contained in Appendix 2 and stated he had never seen this form before. NRW considers this to be a breach of Condition 1.1.1 of the Permit in that the Odour Management Plan, which forms part of the management system that identifies and minimises the risk of pollution has not been followed by the Operator. Those with responsibilities have not been appropriately trained to follow this procedure.

ACTION 9: The Operator must provide training to staff with responsibilities under the Odour Management Plan (also see action X below) and monitor compliance with this procedure as required in Action 6. Documentary evidence of this must be provided by 31/08/20.

2.9 Preventative Maintenance

The Operator did not have a full list of plant and equipment at the site and there was no system of asset tagging. It was reported that much of the maintenance is contracted out. The Operator didn't appear to have a procedure to define how they identify critical plant and equipment. However, a critical plant list from the Safety Health and Environment (SHE) viewpoint was provided for the MRF but not the landfill.

This included various items of plant and pumps. We reviewed maintenance for the pneumatic pumps on the landfill. This is under a service contract (currently SGG) and involved the pumps being lifted and replaced by fully serviced units on a 6 monthly basis. An electronic spreadsheet was made available for tracking this.

We looked at the electric pump in sump 9x due to the environmental risk posed at this location and the fact that previous incidents of leachate escaping containment having occurred at this location. This is a vulnerable location as most of the leachate from all the cells in Phase 9 are pumped to sump 9x prior to being pumped by one electric pump to the leachate balancing lagoon.

Both the pump in 9x and other electric pumps at the site are not subjected to a planned preventative maintenance regime in accordance with manufacturers recommendations. It was reported that they are ran to failure and then replaced.

No maintenance records were available for the submersible pump and float switches of the MRF underground tank. This 12,000 gallon galvanised steel underground tank also had no inspection records or leak tests available with the Operator reporting that no such tests or checks have been completed since installation. **NRW is of the opinion that this is a breach of MRF Permit Condition 2.1.2 (B5 Plant & Equipment – CCS2) with the potential for a significant impact on the environment.** Maintenance has not taken place as per Table 2.1 and the associated sections of the Working Plan. There was a clear requirement for pump maintenance as per manufacturer's recommendations and weekly inspections of the tank, six monthly dipping and annual pressure testing for signs of leaks. No inspection of pipework

from the tank to the leachate lagoon had taken place either.

ACTION 10: The Operator is to investigate the integrity of this underground MRF tank by testing and must provide NRW with a written testing report before resuming acceptance of waste.

ACTION 11: The Operator must develop suggested actions as a result of the findings of the MRF tank testing for leakage and submit proposals in writing complete with timescales to NRW before resuming acceptance of waste.

ACTION 12: The Operator must instigate maintenance of the underground MRF tank and associated, pumps, control mechanisms, alarms and pipework as soon as possible and certainly prior to resuming acceptance of further waste onto site in accordance with Permit requirements. It is acknowledged (notification dated 02/03/20) that the site is currently closed in order to conduct remedial action as a result of a flooding incident in October 2019.

We requested service contracts and service records of the 2 landfill gas engines at the site to ensure maintenance is conducted in accordance with the manufacturer's recommendations. These were not easily available at the time, but the Operator agreed to provide these following the audit for the period from the start of 2019 until present. The Technical Manager reported that the older Engine 1 is no longer covered by a service contract with Finning due to its age and that a local engineer has been used to maintain the engine instead.

Service records covering both engines for the last 3 months were provided on 02/03/2020. They are in the form of daily service reports from Finning and detail works carried out when they have been on site. **We have requested further such records to cover records for the period originally requested** which would further enable us to make an assessment of whether these landfill gas engines are being maintained in accordance with the manufacturer's recommendations.

Based on the information already provided it would appear that Engine 1 is not being maintained as per manufacturers recommendations. The report dated 13/01/20 says Engine 1 has not ran for 6 weeks. Report dated 15/01/20 states that the 293 hours service is overdue. The Operator reports that this is because they are not able to re-set the counter on the engine to show when maintenance is undertaken. For Engine 2, records provided state that the engine was not operational from 14/11/19 until the week commencing 09/12/19 when work to replace 15 of the 16 cylinder heads was conducted. Various maintenance actions are recommended in the reports, (i.e. 31/10/19 heat dump radiator to be repaired and antifreeze added, 10/12/19 exhaust lagging very poor condition including liners & cam shaft wear, 16/12/10 engine requires re-mapping), and it is not certain whether these have been completed.

An e-mail response to this draft report from the operator on 16/04/20 states that *'The radiator was repaired, the antifreeze was added. The exhaust lagging continues to look poor, however it functions. The liners and cam shaft wear are carefully noted from the head replacement works. We are budgeting to replace the liners and camshaft when the next topend overhaul of the engine is undertaken. The mapping of Engine 2 has been undertaken by Finning.'*

On 16/12/19 an oil change and de-coke of Engine 2 was conducted. This appears the only oil change when considering the documentation provided for the 4 month period reviewed. The Operator states, *'I can confirm that the oil changes are conducted on a 750 hour cycle'*. However, documentation was not made available to demonstrate this. The annual emissions testing for 2019 had to be delayed until January 2020 for engine 2 and couldn't be conducted for engine 1. Engine 1 report states, *'this engines cannot be tested in its current state'*. We still await Engine 1 emissions testing results for the 2019 period.

The operator has provided some reports of weekly engine oil tests conducted. The interpretation of oil analysis contains specific actions such as requirements for checking the unit or changing the oil. It is not clear that this has been completed from the service records provided. It is also noted that the silicone is high due to siloxanes in the landfill gas. This is known to cause problems with deposits within the combustion chamber and/or cylinder heads and leads to the requirement for an increased frequency of change outs and servicing.

It was noted that some of the Finning's service reports reported gas field problems such as low gas pressure, low methane levels and high oxygen levels. In such incidents, **is recommended that the Gas Management Plan's procedures are followed and results of such investigations and actions taken are recorded.**

Condition 1.1.1 of the Permit requires the Operator to have a written management system which includes maintenance and Condition 1.1.2 requires such records demonstrating this to be maintained. **NRW is of the opinion that the Operator has breached condition 1.1.1 (B5 Plant & Equipment – CCS2) with the potential for a significant impact on the environment.** It has been identified above that no preventative maintenance is being undertaken on some items of plant/equipment that are necessary to reduce the risk of pollution.

ACTION 13: The Operator must provide the service records for the 2 landfill gas engines from the beginning of 2019 and any service contracts as soon as possible. Note we have already received records from 24th October 2019 until 26th February 2020. At the time of completing this report further Finnings records were provided on 25/03/20. We will review these in due course as part of the landfill gas audit. The Operator must provide records of maintenance conducted by other service providers/engineers referred to or confirm whether such records exist.

ACTION 14: The Operator must develop a procedure which includes; the process of asset tagging of plant and equipment, defines how critical plant and equipment is identified, and describes how maintenance is tracked and recorded. This shall be submitted to NRW by 31/08/20.

ACTION 15: The Operator must produce a list of critical plant and equipment for the landfill and ensure that maintenance is conducted and tracked as per manufacturers recommendation with documentary evidence to demonstrate this is available. Should the Operator deviate from manufacturers recommendations he should have a risk assessment completed with mitigation measures available in writing to demonstrate that the risk to the environment is not increased significantly, i.e. electric pump in sump 9x and other electric pumps. This must be submitted to NRW by 31/08/20.

ACTION 16: The Operator must complete, track and record maintenance in accordance with procedures in Actions 14 & 15 above and keep records of maintenance readily available to demonstrate this.

2.10 Training

Records of some environmental training were available, i.e. all site based staff receive 'Protecting the Environment at Work and Home' training. We didn't see the content of this course. COTC and WAMITAB certificates are held by some of the employees at Bryn Posteg. There is no specific training needs assessment for staff which conduct specific roles with respect to the Environmental Permits held for the site, i.e. gas & water monitoring, waste acceptance, odour management.

Condition 1.1.1 of the Permit requires the Operator to manage and operate the activities in accordance with a management system using sufficient competent persons and resources and Condition 1.1.2 requires records demonstrating this to be maintained.

ACTION 17: The Operator must produce a training needs assessment and plan for all employees whose activities could impact on Permit compliance. As a minimum, employees should have some basic Permit awareness training with more specific training for those responsible for certain activities. The training needs assessment and plan should be submitted to NRW by 31/08/20.

2.11 EMS Compliance Summary

There are several shortcomings in the EMS listed above under separate sub-headings and below under waste acceptance. **NRW is of the opinion that the Operator is in breach of Permit Condition 1.1.1 for both sub criteria C1 Staff Competency and Training and C2 Management Systems (CCS2) with the potential for a significant impact on the environment.** These shortcomings are likely to be the root cause of repeated Permit breaches at the site. The Operator is still in the phase of developing an EMS for the Bryn Posteg site and is strongly advised to provide sufficient resource to this end.

NRW guidance on 'How to Comply with your Environmental Permit' offers advice on what we expect from your management system. It states that larger sites or more complex activities may include large, high risk or highly complex waste operations, installations and large water and groundwater discharge activities.

Bryn Posteg landfill is a Part A(1) Installation due to the risk it poses to the environment from its activities. In line with this guidance we encourage the Operator to have a comprehensive environmental management system that either meets the requirements, or is equivalent in scope to the international standard, ISO14001, or European Eco Management and Audit Scheme (EMAS).

Completion of the various actions in this audit report will go a long way towards achieving an EMS which NRW would expect for the nature and scale of the site activities.

3. Waste Acceptance

The Operator provided a procedure for waste acceptance at the site, 'IMS Waste Acceptance – LNF Document No EMS-1-LNF Version No. 1.0'. This document was not dated. This document does not reflect this site in that it only deals with waste acceptance at a landfill. This site has other activities such as biological treatment, physical treatment, incineration and composting. When the Technical Manager was questioned concerning waste acceptance at the site, he was unable to clearly explain how incoming waste was managed with respect to the different Permitted activities, i.e. physical treatment, disposal to landfill, biological treatment, composting. There needs to be a clearly defined written procedure that sits within the EMS for the landfill, compost and MRF permits which clearly explains how waste is accepted on the site and processed through these various Permitted activities. The Permit number stated on most waste transfer notes, if present, was for the landfill (BU7766IC).

ACTION 18: The Operator must update his waste acceptance procedures to include all permitted waste activities and clearly describe how waste is processed, tracked and recorded through the different permitted activities. Such updated procedure(s) shall be submitted to NRW before resuming acceptance of waste.

ACTION 19: The Operator must undertake a review of the Bryn Posteg listed activities and waste operations with reference to RGN 2 Understanding the Meaning of Regulated Facility. The review must follow this guidance and contain enough evidence in a step by step process to define the installation boundary. The review must be submitted in writing to NRW by 31/08/20.

3.1 Waste Transfer Notes (WTNs)

WTNs which are provided by all carriers are of varying quality. In many instances they did not meet the minimum requirements of the appropriate legislation. Specifically, some WTNs have no description of waste or poor description, no European Waste Classification (EWC) code, no waste quantity, no carrier's details/registration, no site Permit number, no signatures or various combinations of such omissions.

Under appropriate legislation the Operator is obliged to ensure that waste is adequately described and coded.

ACTION 20: The Operator must put procedures in place to ensure waste acceptance procedures are followed to include the correct completion of WTN before resuming acceptance of waste at the site (see ACTION 21 below).

Upon receipt at site, the WTNs for all the permits are placed into a box and are never referred to again. **It is strongly suggested that the WTNs are separated into boxes for each of the different permits and or activities under which the waste is being accepted to. Filing chronologically by a defined period, i.e. quarterly is also recommended for easier retrieval and access to such documents required to be retained by the Permit and other relevant legislation.**

For some wastes from Gaskell's there were weighbridge tickets generated on site but no WTNs. An annual season WTN was provided for 3 different EWCs and included a number of different waste carriers.

The Operator is advised that a different WTN should be available for each carrier and each EWC code.

It became apparent when discussing the acceptance of waste with the Weighbridge Operator that EWCs were not being used. WTNs were not referred to and instead the waste was visually assessed and assigned one of up to five or six internal codes/descriptors. These internal codes are then transferred back into EWCs to produce the quarterly waste returns without referring to the WTNs. This is leading to incorrect and inaccurate waste returns. This is also contrary to the waste acceptance procedure provided and as such in breach of Permit Condition 1.1.1.

Please note that it is the producer's responsibility to assign an EWC code to each load of incoming waste. If an EWC code has not been assigned by the producer, then that load should not be accepted onto the site. If the waste is destined to be taken directly to landfill, then this has to be undertaken as part of the basic characterisation of that waste. For waste being moved between the MFR or Composting Permits to the landfill, then the same basic characterisation of waste must have been undertaken and an internal waste transfer must be recorded.

In using the Weighbridge system to record waste accepted and removed, EWC codes must be used. The Weighbridge Operator showed NRW how the weighbridge system can be used to record the waste being accepted/ removed using EWC codes. The system should be able to be used in such a way that it would highlight to the operator that a specific waste code cannot be accepted. As the weighbridge system is being used for all three permits, the permitted site each load is being accepted to should also be recorded. If the weighbridge system is not improved, then waste returns for all three sites would need to be produced by referring back to the original WTNs to ensure their accuracy.

3.2 Pre-Acceptance & Basic Characterisation

NRW reviewed WTNs relating to waste accepted at the landfill between April and September 2017. From the WTNs, certain transfers of wastes were identified, and the waste basic characterisation for this waste was requested.

No basic characterisation documentation was available at the time of the inspection. The Technical Manager suggested that some of the information may be available at their head office as he was required to submit some information to HMRC concerning Loss in Ignition testing for fines. However, not all the waste identified were fines (EWC code 19 12 12). Other wastes were identified. On 18/02/20 a further e-mail was sent to the Operator confirming the request for documentation for the following wastes:

- Midland Biomass – MBAR – 19 12 12. Around May 2017.
A Duty of Care audit dated 10/10/16 on a standard template was provided with some chemical testing certificates but no interpretation provided. Not all basic characterisation data provided.
- Waste produced at the Aldi, Wellington by Gaskells and carried by Greyroad. WTN states disposal site as PWM Llanidloes, no EWC code given, described as waste spoil.
No basic characterisation information provided to date.
- Lindrick Project Management Ltd, Chesterfield – 19 12 12. Carrier – Elm Haulage.
A Duty of Care audit dated 7/10/16 on a standard template was provided with some chemical testing certificates for basic metal and PAH suite of analysis but no interpretation provided. Not all basic characterisation data provided.
- Gaskells WTS, Liverpool. Residual waste from WTS. Carrier, AW Jenkinson. No EWCs on weighbridge ticket/ delivery ticket. Should be a season ticket.
Annual WTN provided for period 01/04/17 – 31/03/18. No basic characterisation information provided.
- Waste from Pembroke Dock. Carrier – AD Howells and others. Accepted onto site for further treatment 19 12 12 'active'. Accepted for treatment before landfill.
Annual WTN provided for period 01/01/17 – 31/12/17 with some chemical testing certificates of analysis but no interpretation provided. Not all basic characterisation data provided.

On the 02/03/20 and 03/03/20 some information was provided by the Technical Manager as detailed in italics next to the waste type above. At a meeting with the Operator on 13/03/20 basic characterisation data was again requested but we have not received any further information.

Although some chemical analysis certificates were provided above, no sampling plans were available and the Technical Manager did not appear to realise that a sampling plan was required for Level 1 basic characterisation testing.

3.3 Waste Acceptance Compliance Summary

Permit Condition 2.6.1 (g) requires that waste shall only be accepted for disposal if all relevant waste acceptance procedures have been completed. Basic characterisation of waste is a legal requirement for wastes accepted for disposal at landfill. The information requirements and need for sampling plans are detailed in the Operator's waste acceptance procedure provided. However, the Operator is not operating in accordance with this procedure as required by Condition 1.1.1 of the Permit. **NRW is of the opinion that this is a breach of Condition 2.6.1 (g) (C3 Materials Acceptance CCS = 2)**

The combination of not complying with waste acceptance procedures, very poor WTNs and little or no level 1 basic characterisation data observed as a representative snapshot of waste acceptance at the site gives NRW cause for concern. Combined with the practice of using internal waste codes at the weighbridge and "re-coding" the waste for the waste returns there is a significant risk that the quarterly returns are inaccurate and that contaminated wastes not destined for the non-hazardous class of landfill could have been disposed of at the site.

ACTION 21: The Operator must have processes in place to ensure implementation of their Waste Acceptance Procedure. This should not be limited to but must include the complete level 1 basic characterisation of any waste prior to acceptance at landfill with allocation of customer account number and unique waste stream reference number after procedures of 'authorisation, waste identification/verification and records' have been completed. This should include adequate training of all employees with responsibilities for waste acceptance. **The Operator should submit to NRW a written summary of proposed processes to be put in place prior to acceptance of any further waste to the landfill. A written record confirming completion of training shall be submitted to NRW prior to accepting waste to landfill.**

ACTION 22: The Operator must submit to NRW a procedure that describes the Operator's process for reporting quarterly waste returns before resuming acceptance of waste.

PLEASE NOTE: Due to the Covid-19 pandemic the timescales for completion of some of the Actions may have to be extended by agreement with NRW.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036490**

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	12/02/2020

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	C2	Action 1, 2 - 7, 9, 14 - 16, 18 and 21	31/08/2020
C1	C2	Actions 2, 3, 8, 9, 17 & 21	31/08/2020
C3	C2	Actions 18 - 22 see specific dates due attached to actions in text	31/05/2020
B5	C2	see Actions 13 - 15 in report text	31/08/2020

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.