

Compliance Assessment Report

Report ID:
CAR_NRW0036653

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

Site	Bryn Posteg Composting Facility	Permit Ref	CB3834RQ		
Operator/Permit holder	Sundorne Products (Llanidloes) Ltd				
Regime	Waste Operations				
Date of assessment	04/06/2020	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	1.1, 2.3, 2.4.1 & 3.1				
Lead officer's name	Cubley, Lara				
Accompanied by					
Recipient's name/position	David Williams / Deborah Hall/ Technical Manager / Environment, Health & Safety Compliance Manager	Date issued	04/06/2020		

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
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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

This Compliance Assessment Report (CAR) reviews the following two documents provided by the Operator on 06/04/20:

Enviroarm report - LEACHATE MANAGEMENT AND RISK ASSESSMENT FOR COMPOST PAD REF: ARM/SCM/ADAS/SPL/1.00/2020 and Enviroarm letter Compost Slab Lagoon Engineered Specification Details Our Ref: ARM/PWM/CPLL/1.00/2020 both received 6th April 2020

BRYN POSTEG LANDFILL - COMPOST PAD LEACHATE LAGOON CONSTRUCTION WORKS METHOD STATEMENT AND CONSTRUCTION QUALITY ASSURANCE PLAN Ref: ARM/BP/CP/CQAP/1.00/2020 Environarm Ltd for Sundorne Products (Llanidloes) Ltd

In summary, the proposed works involve:

- the excavation and regrading of the ground to form a low permeability geological barrier base and side-slopes for a leachate lagoon. It is understood that the lagoon will be entirely below ground level and will not have a raised engineered earth bund around the perimeter.
- placement of a Flexible Membrane Liner (FML) and geotextile protection layer.
- Sealing works to existing infrastructure.

Below are a number of comments/queries relating to the works detailed in the submitted reports. We do not accept these submissions for construction purposes until the comments are addressed to our satisfaction. **ACTION 1: The Operator must respond to NRW in writing, detailing how each comment has been addressed and re-submit an updated CQA plan for review and acceptance prior to commencing construction and no later than 30/06/20.**

1. The Operator must confirm the arrangements in respect of the recently reviewed CQA plan for the surface water lagoon proposed in this area and how that impacts on these proposals.
2. The dimensions of the proposed lagoon are stated as 22 metres long, 13 metres wide and 2 metres deep in the leachate management and risk assessment report. The footprint of the lagoon is shown on Drawing CFESSD 1 of the CQA Plan report with generic cross-sections, however the depth of the lagoon is not shown. The CQA Plan report should clearly state dimensions to ensure the critical storage volume is provided as a minimum.
3. There appears to be conflicting information regarding the minimum freeboard to be

provided (750mm or 1000mm)?

4. Section 1.3 Surveying: Survey data at 10m centres is proposed. This is inadequate for the scale of the works.
5. A 1mm thick HDPE or LDPE FML is proposed. A stability assessment should be carried out to assess if this thickness is adequate for the proposed subgrade, leachate type and the operational use to demonstrate its robustness to tearing and deformation. E.g. *Ciria c759b Section 7.4.5.1 Plastic Liners* guidance recommends a minimum 1.5mm FML thickness for slurry lagoons of similar dimensions.
6. The geology at the location is stated as Llandovery Series which will form the base/sidewalls subgrade. This stratum is based on ground investigation findings from other parts of the site. The ground conditions for the location should to be confirmed (eg Made Ground may be present in the area) and samples taken from this location for the soil tests.
7. The schedule of soil tests have not been carried out. One compaction test result has been provided however this was a test carried out in 2012 on a sample from another location. Therefore, the earthworks material Class has not been established to determine its suitability as earthworks material or whether it would meet the low permeability criteria. These test results should be provided prior to the construction works being carried out.
8. Tables 1, 2 and 3 are missing.
9. The frequency of testing (missing Table 1) has not been given. The lagoon is relatively small and normal soil testing frequencies would probably indicate one sample to be tested however a minimum of two samples should be tested for each test scheduled to confirm the consistency of the soils at the site.
10. 'Method Compaction' to Table 6/4 of the Specification for Highway Works is proposed to form the subgrade. Considering the importance of forming a very low permeability barrier the more robust 'End Compaction' may be more appropriate.
11. In addition to the leachate lagoon, the leachate collection system includes the inlet pipework, collecting leachate from the compost pad and the outfall arrangement. It is understood that the existing pipework from the compost pad and the intermediary silt-trap concrete tank is to be kept. It is stated that mastic sealants are necessary to repair leakage in this infrastructure. In addition, the silt trap will also be lined with a plastic FML. More detail is required how this will be carried out to demonstrate that this will successfully prevent leakages. Details should include the method of anchoring the edges of the FML and a risk assessment of the potential operational damage to the liner. If this is not demonstrated satisfactorily new pipework and silt-trap arrangements will be required.
12. What safeguards have been included i.e. high level alarms.
13. Please confirm details of how the expansion joints of the compost slab are sealed.
14. Further details (i.e. X sections and plans) and methods for bentonite seal around pipe in clay bund, north wall and boundary with pad excavated trench should be provided in the CQA plan.
15. Report states clean rainfall collected will be minimised by bunding/surface water cut off wall around the outside of the pad. No plan/design is provided to show arrangements on how you will stop run off to the south and east of the site entering the composting pad and contributing to the volume generated. This could significantly affect the required capacity of the lagoon.
16. Can you provide drawing for lagoon extraction point design. What is proposed side wall riser spec/size.
17. Drawings provided do not show sufficient topography. The ground is know to fall away steeply from compost slab level to proposed lagoon level. What is the proposal/arrangement for laying pipework from the silt trap to the lagoon?

Permitted Site Boundary - Condition 2.4.1

Please note. It has already been brought to the Operator's attention that the activities on the composting slab

already extend beyond the permitted boundary. However, construction of this lagoon will further extend the permit boundary and requirement for a permit variation to make these operation legal. **ACTION 2: The Operator must submit a permit variation to NRW so as to legalise the permitted site boundary as soon as possible.**

EPR Compliance Assessment Report

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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. 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.