

Compliance Assessment Report

Report ID:
CAR_NRW0033007

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	23/02/2018	Time in	10:44	Out	12:05	
Assessment type	Site Inspection					
Parts of the permit assessed	All Below					
Lead officer's name	Ellis, Rhys					
Accompanied by	McClymont, James					
Recipient's name/position	David Williams/ Technical Manager	Date issued	09/03/2018			

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	C2	2.9.1
C1 - General Management - Staff competency/training	C2	1.1.1
F1 - Amenity - Odour	C2	3.3.1

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)	93
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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

Present on site today from Natural Resources Wales were regulating officers Rhys Ellis and James McClymont.

Prior to visit on the site a perimeter inspection was carried out around site.

Weather was dry and cold with wind direction deriving from the south east direction. A moderate landfill gas odour was detected off site at the entrance to Bryn Posteg Farm (Further along from the bungalow by the site entrance).

This odour was also clearly detectable near the site office when officers parked up.

The following breaches/observations were noted during our inspection -

Whilst walking up past the low spot of Cell 9D(ii) opposite the MRF there was still significant amount of leachate visible and flowing/cascading out of the flank and into the collection sump. Although it was contained at the time of the visit, there is a risk of containment in this area and requires careful management.

We did note that there appeared to be a significant spray deriving from a pipe within the sump indicating a weakness/failure in a leachate pipe.

ACTION 1 :As per previous CAR form request, please can the site investigate the cause of this leachate outbreak from the waste mass and feedback to Natural Resources Wales. Previous deadlines in CAR forms have stipulated no later than 16th March 2018.

ACTION 2 : Site to investigate leaking hose and feedback actions taken

E1- Emissions Air

B1- engineering for prevention and control of emissions

We noted that the new wells have now been connected - however it was not determined whether these wells were under extractions or not.

However, in this area we did note what appeared to be leachate wells/towers that were emitting significant methane emissions, in particular 3 which were not connected to the gas extraction system. For reference we made a note of some of the numbers on the towers which were as follows

- An unlabelled concrete tower extending a 3-4 feet above surface – 570,000ppm (57%) methane concentrations were noted.
- What appeared to be concrete leachate tower ref HG5 – 215,000ppm (21.5 %) methane concentration
- What appeared to be a leaning concrete ring tower ref HG17 – 80,000ppm (8%) methane concentration

We also noted the following:

- Ambient methane concentrations up to 130 ppm above the surface of the operational cell
- A methane emission of 2.3 % emanating from a hole in the surface the operational cell, noticed due to bubbling standing water above the hole
- Another concrete ring tower that appeared to be connected to gas extraction system - 350,000ppm (35%) methane concentration
- Recorded 64% methane from GW34 gas leak still evident from the capping boot detail and odour present downwind (previously noted in CAR form)

Please note that similar issues were noted during previous visits and notified in CAR form (i.e Emissions from leachate towers etc)

Condition 2.9.1 stipulates that the operator shall take measures, including, but not limited to, those specified in any approved landfill gas management plan, to:

- (a) Collect landfill gas; and
- (b) Control the migration of landfill gas.

The operator has not taken appropriate measures, including, but not limited to, these specified in any approved landfill gas management plan to prevent these emissions. As a result a **CCS score of 2** is applied.

ACTION3

You have subsequently advised that amongst some of the actions you will be undertaking imminently are:

- The likelihood of the installation of temporary horizontal collectors.
- SGG are due on site to undertake connections to the concrete towers in the operational area and review G34.
- Actions to complete works on bentonite seals around wells drilled last year in Phase 9.

Please provide a progress report to NRW on this matter no later than 23rd March 2018.

Observations on perimeter wells.

We noted very high methane emissions in perimeter wells =

- G37 – 65.8%
- G21 – 66%
- G27- 65.2%

We also detected methane emissions at the manhole of the groundwater drainage on Phases 1 & 2 in the eastern corner of the site. This is adjacent to the eastern surface water discharge point to the Nant-y-Bradnant. Recording of 6000ppm (0.6%) at edge of manhole.

As advised during subsequent discussions it would be prudent for our audit (planned for the 18th and 19th April 2018) to pick this further and follow it through in detail. However in the interim you should continue investigating this matter and monitor the situation very closely. You have advised that you will analysing and scrutinising data you have on the perimeter wells, undertaking Perimeter gas monitoring and confirm that correct methodologies are being followed.

ACTION 4 Please keep us updated on this matter.

F1 : Amenity Odour

Moderate landfill gas odour was detected outside the site coupled with the fact that these odours were substantiated on-site, as we recorded significant gas emissions coming from point sources explained above.

As a result of the above a **CCS breach of 2** has been noted under condition 3.3.1 as the activities are not free from odour and are at levels likely to cause significant pollution outside the site. Appropriate measures including, but not limited to, those specified in an approved odour management plan have not been carried out.

Please refer to Action 3 for immediate actions required.

C1- General Management – Staff competency/ training

Permit condition 1.1.1 stipulates that the operator shall manage and operate the activities in accordance with a written management system and using sufficient competent persons and resources. The permit breaches noted in this compliance assessment report form raise concerns about the awareness of permit conditions, management systems and associated procedures and plans by the directors and relevant site personnel. There appears to be a lack of understanding of the permit requirements and a failure follow relevant procedures resulting in breaches of permit conditions which have led to pollution of environment:

- Gas management and inadequate gas collection for prevention of gas and odour emissions as mentioned above.
- Failure to take measures under permit condition 4.3.1 (b) in that, in the event of any breach of permit condition the operator must immediately take the measures necessary to ensure that compliance is restored within the shortest possible time. An example would be the leachate towers not being connected for a long period of time.

As a result a **CCS score of 2** has been applied on this occasion.

Please refer to Action 3 for immediate actions required.



Location of some of the concrete leachate towers that had not been connected to the gas extraction system.



Example of a concrete leachate tower not connected to the gas extraction system.

EPR Compliance Assessment Report

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Site	Bryn Posteg Landfill	Permit Ref	BU7766IC
Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	23/02/2018

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			
C1	C2	Refer to CAR Form	23/03/2018
F1	C2	see text in CAR form	23/03/2018
B1	C2	See text in CAR form	23/03/2018

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.