

	EPR Compliance Assessment Report	Report ID: BU7766IC/0251858			
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 (Llanidloes) Ltd				
Date	27/08/2015		Time in	10:00	Out 15:30
What parts of the permit were assessed	Fugitive emissions survey.				
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op
					Water Discharge
Recipient's name/position	David Williams / Technical Manager				
Officer's name	Aled Zachary		Date issued	30/11/2015	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	C2	3.3.1
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	A	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	C2	3.4.1
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	62
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

(Please note: Officers completing this form are encouraged to comment and act on the environmental performance as a whole of the facility and not just those covered by the permit conditions.)

Site visit planned to review levels of fugitive emissions from the installation. A total of 4 complaints of odour from the site were received during August.

Non Compliances:

Requirements - Condition 3.3.1 states fugitive emissions of substances shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable to minimise those emissions.

Findings - The current operational area(s) Cells 9D(i) and 9D(ii) are lacking in appropriate measures to minimise fugitive emissions of landfill gas. This also applies to the western flank of Cell 9C.

Three new gas wells inspected on Cell 9D(i) appeared to be operating effectively and producing good flow. However, large areas of this cell are currently only covered with daily cover material. An engineered temporary cap in this area should be considered to reduce overall emissions (especially from the flanks) and improve gas collection efficacy.

The current operational tipping cell 9D(ii) has no form of gas extraction installed, either temporarily or permanently. Levels of fugitive emissions (detailed below) from this cell are high as a result, indicated newly tipped waste material is already active.

The Western flank of Cell 9C is emitting high levels of fugitive gas emissions as there is no temporary or permanent capping in this area, these emissions are detailed below.

These issues as a whole have been scored a Category 2 CCS score as a result.

Requirement - Condition 3.4.1 requires emissions from the activities shall be free from odour at levels likely to cause annoyance outside the site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measure to prevent or where that is not practicable to minimise the odour.

Findings - The South Eastern and South Western flanks of Cell 9D(i) are currently emitting high levels of landfill gas, with localised odour present during the inspection that is likely to generate off site odour complaints. Landfill gas could be visibly seen bubbling up under pressure in some pooled areas of leachate along both flanks. This was especially prevalent along the south western flank of 9D(i) with ambient emissions of up to 10,000ppm methane recorded in this area.

Other notable emissions:

Cell 9C:

- Up to 6000ppm recorded from Southern Flank where geomembrane is exposed
- On the flank opposite GW82 around 500ppm ambient detected
- 1500ppm recorded on the bench on the western flank adjacent to pooled leachate
- Flank opposite GW35 up to 500ppm ambient was recorded

Cell 9D(i):

- 6000ppm recorded on South Western Flank adjacent to bisect with cell 9D(ii)
- 10,000ppm recorded on South Western Flank adjacent to the haul road
- Up to 6% (60,000ppm) adjacent to pipe that resembles a side wall riser on the South Eastern flank

Cell 9D(ii):

- 30% gas (300,000ppm) from one of the western leachate towers
- 3.2% gas (32,000ppm) from the leachate tower closest to the uncovered flank of 9D(i)
- 13,000ppm from the 3 rd tower on the operational area
- Between 80 - 500ppm ambient gas emission over the whole surface of the cell.

Due to the levels of emissions recorded this has been scored a CCS Category 2 score

Observations:

The issue with leachate being pumped down the flank of Cell 9C observed during the previous visit has been resolved with the feed having been directed into the leachate collection line. Technician Paul Lloyd accompanied officer during inspection and was informed of any significant emissions recorded at that time.

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
<p>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.</p>	
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.	
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	X

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
B1	C2	<ol style="list-style-type: none"> 1. Flanks and other exposed areas of operational areas should be temporarily capped to reduce fugitive emissions and increase landfill gas collection efficiency. 2. Installation of pin wells to collect landfill gas where the installation of permanent wells is not practicable should be investigated and progressed where possible. 3. Gas Extraction infrastructure needs to be installed in Cell 9D(ii) as a matter of urgency. 4. The site Gas Management plan should be reviewed in light of the above recommendations / actions and submitted for review. 	31/01/16
E1	C2	As above.	31/01/16

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 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 which 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.