	EPR Compliance Assessment Report	Report ID: 103508/0254131
This form will report compliance with your permit as determined by an NRW officer		
Site	Bryn Posteg Composting Facility	Permit Ref 103508
Operator/ Permit holder	Sundorne Products (Llanidloes) Ltd	
Date	09/12/2015	Time in 14:00 Out 14:45
What parts of the permit were assessed	Site inspection of operations and infrastructure	
Assessment	Site Inspection	EPR Activity: Installation Waste Op X Water Discharge
Recipient's name/position	David Williams / Technical Manager	
Officer's name	Aled Zachary	Date issued 14/12/2015

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	C2	2.4.1; 2.4.2
b) Infrastructure	1. Engineering for prevention & control of pollution	C3	2.3.1
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	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	A	
	2. Land & Groundwater	C2	3.1.1
	3. Surface water	A	
	4. Sewer	NA	
	5. Waste	A	
f) Amenity	1. Odour	A	
	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	3	Total compliance score (see section 5 for scoring scheme)	66
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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.

Non-compliances.

A1 - Specified Activities

Requirements -

Condition 2.4.1 states that the activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit.

Condition 2.4.2 states that the activities shall not be carried out within:

(c) 250 metres of the nearest sensitive receptor;

Findings - The site has been permitted under standard rules SR2008No16_75kkte since 22nd of March 2012. The permit requires the operations to be carried out within the area edged in green on the site plan listed in Schedule 1. The permit also requires that operations are not carried out within 250m of the nearest sensitive receptor. Currently the site is in breach of both of these requirements and has been for a considerable length of time.

This has been scored a CCS Category 2 breach of the requirements as a result.

B1 - Infrastructure - Engineering for Prevention & Control of Emissions

Requirements - Condition 2.3.1 states that the activities shall be operated using the techniques and in the manner described in Table 2.3, specifically:

1. The storage, physical treatment and composting of wastes shall take place on an impermeable surface with sealed drainage system

Findings - Although a concrete pad has been constructed for operations to take place on, it does not benefit from a sealed drainage system.

This has been scored a Category 3 breach of the permit requirements.

E2 - Emissions: Land and Groundwater


Requirements - Permit condition 3.1.1 states that Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

Findings - Currently composting operations are taking place on un-engineered ground. Although the leachate being generated is being directed to a collection sump there is potentially for significant contamination of both land and groundwater's as a result of the current operations.

This has been scored a CCS Category 2 breach of the permit requirements as a result.

Observations.

The site is currently not only operating outside of the permitted area but in a manner that is likely to cause pollution or potential impact on nearby receptors. Given the length of time since the permit issue it is imperative the actions listed overleaf are completed to bring the site back into compliance with the permit requirements. Continuing to operate in the current manner could result in the permit being revoked and/or formal enforcement action being considered.

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	
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.	X
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

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			
A1	C2	Please provide a plan detailing how composting operations will be moved back inside the permitted area including timescales.	01/02/16
B1	C3	Please provide a commissioning plan (including timescales) for the concrete pad including how the pad will conform with the requirement for a sealed drainage system and details of its construction.	01/02/16
E2	C2	Composting operations should be moved to an impermeable surface with sealed drainage as soon as is reasonably practicable.	N/A

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.