

Compliance Assessment Report

Report ID:
CAR_NRW0032997

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	09/02/2018	Time in	10:00	Out	11:30
Assessment type	Site Inspection				
Parts of the permit assessed	All Below				
Lead officer's name	Ellis, Rhys				
Accompanied by	Arlett, Timothy				
Recipient's name/position	David Williams/ Technical Manager	Date issued	08/03/2018		

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
E3 - Emissions - Surface water	C2	3.1.2
F3 - Amenity - Dust/fibres/particulates and litter	C3	3.2.1

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	2	Total compliance score (see section 5 for scoring scheme)	35
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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

On the 8th February 2018 Natural Resources Wales received a report (WIRS reference 1880730) regarding concerns on water quality from an outfall located on the tributary of the Afon Dulas.

On the 9th February 2018 Environment Officer Timothy Arlett attended site and confirmed that there was evidence of significantly turbid water coming out of the outfall as well as litter in the vicinity of the outfall (see photographs below). A formal sample of this discharge was taken which was subsequently served on the operator.

The location of this outfall was SN96453 81891, which is an outfall consisting of surface water from the permitted site (emission reference P2).

The environment Officer had a discussion with a member of staff in the weighbridge and suggested that measures are put in place to mitigate the high suspended solids deriving from site. Site agreed to use straw bales to filter the outgoing water from site.

E3- Emission to water

Natural Resources Wales have received the results of the formal sample taken of surface water discharging from P2 and the results are as follows:

Parameter type	Permit Limit	Sample results
Ammoniacal Nitrogen	0.25 mg/l	8.15mg/l
Suspended Solids	50mg/l	488mg/l

Permit condition 3.1.2 stipulates that limits in Table S3.2 shall not be exceeded. For discharge point P2, the result for ammoniacal Nitrogen is 32 times the permit allowance and the suspended solids have been exceeded by 9 times.

It must be noted that Afon Dulas downstream of the tributary is classified under Water Framework Directive standards as high quality for ammonia and overall meets good quality status. For example, we would expect this stretch of river to have less than 0.3 of Ammonia. Discharges into the Dulas catchment of the poor quality noted above could significantly affect the overall quality of this part of the Afon Dulas catchment.

Due to the significant breach in limits and a significant risk of pollution a **CCS 2** has been applied.

ACTION 1. Operator to investigate the source of this Ammonia and suspended solids exceedances and confirm what actions, measures and contingency plans have been taken to improve surface water quality from P2 to avoid future breaches of limit values stipulated in permit. Please respond no later than 26th March 2018.

ACTION 2: Site to confirm whether increased monitoring has been implemented.

F3- Amenity

Windblown litter was observed in the same watercourse. Condition 3.2.1 stipulates that emissions of substances not controlled by emission limits shall not cause pollution.

A **CCS Score of 3** has been applied.

ACTION 3. Site to undertake a litter pick and inform Natural Resources Wales when this has been completed no later than 12th March 2018..

C1 and C2 -General management and staff competency

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 breach noted in this compliance assessment report form raise concerns about the awareness of permit conditions, management systems and associated procedures and plans by site personnel. These include failure to Notify NRW of the breach of permit limits and failure to limit the

environmental impact of the discharge.

We are aware that the site has submitted a surface water management review for Natural Resources Wales to review. However in the meantime the site should take every appropriate measure and review operational procedures to detect and limit the environmental impact of such discharge, and bring the discharge quality back into compliance with the permit.

Any future breaches of surface water emission limits will be noted and scored applied accordingly.

Photographs of outfall from P2



EPR Compliance Assessment Report

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Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	09/02/2018

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			
F3	C3	Litter pick to be undertaken	12/03/2018
E3	C2	see text in CAR form	26/03/2018

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.