

Compliance Assessment Report

Report ID:
CAR_NRW0033230

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	03/04/2018	Time in	16:45	Out	17:15
Assessment type	Site Inspection				
Parts of the permit assessed	All below				
Lead officer's name	Ellis, Rhys				
Accompanied by	Aled Rees				
Recipient's name/position	David Williams/ Technical Manager	Date issued	27/04/2018		

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	Table S3.3

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	1	Total compliance score (see section 5 for scoring scheme)	31
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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 3rd April 2018 Natural Resources Wales received a report (WIRS reference 1801793) reporting concerns regarding the water quality of the Afon Dulas downstream of Bryn Posteg Landfill site.

E2 - Emissions to water

Environment Officer Aled Rees attended the area and investigation concluded that there was evidence of significantly turbid water discharging from the outfall. A formal sample of this discharge was taken. The location of this outfall was SN96453 81891, which is an outfall consisting only of surface water from the permitted site (emission reference P2)

The formal sample of the discharge confirmed a significant breach of permit condition limits.

Upstream and Downstream samples of the receiving watercourse were taken on the day to assess the impact upon the receiving watercourse, results concluded a significant impact on the quality of the Afon Dulas extending at least 1km downstream

Summary of the sample results can be seen in the below table.

Date	Time	Location	Parameter type	Value	Permit limit	Unit
03/04/2018	17:00:00	DIRECT FROM WATERCOURSE UPSTREAM OF DISCHARGE. SN 96473 81884	0085 / BOD ATU	<3		mg/l
			0092 / COD as O2	11		mg/l
			0111 / Ammonia(N)	0.054		mg/l
			0135 / Sld Sus@105C	14		mg/l
03/04/2018	16:56:00	DIRECTLY FROM CONCRETE HEADWALL DISCHARGE POINT. SN 96461 81893	0085 / BOD ATU	115	20	mg/l
			0092 / COD as O2	428		mg/l
			0111 / Ammonia(N)	70.6	0.25	mg/l
			0135 / Sld Sus@105C	186	50	mg/l
03/04/2018	17:04:00	DIRECT FROM WATERCOURSE DOWNSTREAM OF DISCHARGE. SN 96436 81893.	0085 / BOD ATU	25.9		mg/l
			0092 / COD as O2	138		mg/l
			0111 / Ammonia(N)	23.3		mg/l
			0135 / Sld Sus@105C	110		mg/l
03/04/2018	17:38:00	WATERCOURSE RAILWAY BANK. SN 95472 81712.	0085 / BOD ATU	5.97		mg/l
			0092 / COD as O2	39.6		mg/l
			0111 / Ammonia(N)	7.76		mg/l
			0135 / Sld Sus@105C	35		mg/l

Table S3.3 within the permit stipulates permit limits that should not be exceeded.

Suspended solids are over 3 times the permit limits, whilst Ammonia is over 282 times the permitted limit and BOD over 5 times the permit limit. As a result the operator has breached limits stipulated in the permit. It must be noted that there is clearly a significant impact on the receiving watercourse, whilst ammonia concentration in the receiving watercourse upstream of where P2 enters were around 0.054mg/l, samples taken directly downstream of P2 show a result of 23.3 mg/l and samples taken from the receiving watercourse approximately 1km downstream show a high result of 7.76. There is also clear impact on BOD and suspended solids from your discharge noted on the receiving watercourse for at least 1km downstream.

The 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 mg/l of ammonia. Discharge into the Dulas catchment of the poor quality noted above could significantly affect the overall quality of this part of the Afon Dulas catchment.

Natural Resources Wales informed the site of this pollution incident and the investigations Natural Resources Wales were undertaking and requested that the site investigate this pollution as a matter of urgency, and feedback findings to NRW including details of measures taken to stop this pollution.

Due to the significant breach in limits of table S3.3 and a significant risk of pollution a CCS 2 score has been noted.

Photographs



Photograph 1 . Heavily contaminated discharge from discharge.



Photograph 2 . Tributary of the Afon Dulas downstream of Bryn Posteg landfill discharge point P2.

EPR Compliance Assessment Report

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Site	Bryn Posteg Landfill	Permit Ref	BU7766IC
Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	03/04/2018

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			
E3	C2	Comply with Permit limits and take immediate action to mitigate against the pollution deriving from site.	04/04/2018

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.