

## Compliance Assessment Report

Report ID:  
CAR\_NRW0033621

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	16/07/2018	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Landfill gas from capped surfaces				
Lead officer's name	McClymont, James				
Accompanied by					
Recipient's name/position	David Williams/ Technical Manager	Date issued	17/07/2018		

### 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
E1 - Emissions - Air	C3	3.1.1

**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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

### Surface Emissions Monitoring Report (April 2018), submitted 31/05/2018

We have reviewed the above report submitted in accordance with Permit Condition 3.7.1 (d) and Table S3.7.

Table S3.7 requires the monitoring of landfill gas from capped surfaces to be carried out in accordance with LFTGN07. The report confirms the monitoring has been undertaken in accordance with this guidance.

The report divides the site into two distinct zones, Zone 1 comprising permanently capped phases 1, 2, 3A, 3B, 3C, 4A, 4B, 5, 6, 7, 8, 9A & 9B, and Zone 2 comprising temporarily capped and active phases 9C, 9D and 9E.

An average flux for Zone 1 has been calculated as 0.000195 mg/m<sup>2</sup>/second, which is below the average zone emission limit for permanently capped areas of 0.001 mg/m<sup>2</sup>/second.

A flux has not been calculated for Zone 2, therefore no results are available for comparison with the average zone emission for temporarily capped areas of 0.1 mg/m<sup>2</sup>/second. It is explained in the report that Zone 2 was not suitable for flux box monitoring because "this zone is primarily active, with a steep flank of 9C being partially capped with HDPE membrane. Due to its active nature and absence of capping, Zone 2 was not suitable for a flux box survey".

It should be noted that all temporarily capped areas should be maintained in a suitable condition to allow for flux box monitoring, as required by Table S3.7.

Condition 3.1.1 states that there shall be no point source emissions (PSEs) to water, air or land except from the sources and emissions points listed in schedule 3 tables S3.2, S3.3 and S3.4.

A total of 19 PSEs of methane were detected across Zone 1, 10 of which were greater than 10,000 ppm (1 %). A total of 16 PSEs were detected across Zone 2, 12 of which were greater than 10,000 ppm (1 %).

#### **These breaches have been scored a CCS Category 3 breach of permit.**

A CCS Category 3 has been applied because it is understood that a contractor (SGG) were also on site during the survey carrying out repairs as they were detected. It is also understood that further PSEs have been repaired since the survey was completed, e.g. LCP1 (Sump 1).

It is noted in paragraph 4.0.7 that a follow up survey will be undertaken with the results submitted to NRW. Please forward results to NRW when available.

**Action 1:** Any remaining PSEs should be repaired as soon as possible, with evidence of provided to NRW by 17/08/2018.

**Action 2:** Please ensure that surface emissions monitoring is completed on an annual basis as required by Table S3.7.

## EPR Compliance Assessment Report

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Site	Bryn Posteg Landfill	Permit Ref	BU7766IC
Operator/Permit holder	Sundorne Products (Ilanidloes) Ltd	Date	16/07/2018

### 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.

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.

### 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			
E1	C3	See comments section	17/08/2018

## 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](mailto: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.