Post-conviction plan

Name of convicted person or business	Sundorne Products (Llanidloes) Limited
Address of convicted person or business	Potters Waste Management, Potters Yard, Severn Road, Welshpool, Powys, SY21 7YE
Date	24 January 2011
Date of birth of person or company registration number	Company registration no 03353423
Plan completed by (signature)	David Williams
On behalf of (signature)	Sundorne Products (Llanidloes) Limited

1.0 List of offences covered by this post-conviction plan

Offence	When and where	Identity of convicted party*	Sentence	Details of any company to which convicted party is a relevant person†
Water Resources Act 1991 s85(1)	January 2008 at Bryn Posteg Landfill	Sundorne Products (Llanidloes) Limited	Fine £15,000	
Water Resources Act 1991 s85(1)	As above	As above	Fine £15,000	
Pollution Prevention Control Regs 2000 s32(1)(b)	As above	As above	Fine £7,500	
Pollution Prevention Control Regs 2000 s32(1)(b)	As above	As above	No Penalty	

* person or business.
† such as a director, manager, secretary or other similar office. See the definition of a 'relevant person' in the notes that accompany this form.

2.0 Authorisations to which this post-conviction plan relates (if appropriate)

Authorisation number	Type of authorisation
BU7766IC	EPR permit (Bryn Posteg Landfill)

3.0 List of all persons and relevant persons to which the conviction(s) relates

Relevant persons include directors, managers, secretaries or other similar office. See the definition of a 'relevant person' in the notes that accompany this form.

Persons convicted	People or companies for who they are relevant persons (list)	Date of birth or Company number
	Sundorne Products (Llanidloes) Limited	03353423
	(no persons were convicted)	

4.0 Circumstances of the offence and how and why it occurred

Please provide details of the events which led to the offence. Include accountability and any mitigating circumstances that you feel are relevant. Continue on a separate sheet if necessary.

The convictions relate to discharge of ammonia into Nant Y Bradnant stream, a tributary to the River Severn, at levels exceeding the permit for Bryn Posteg landfill. The company was found to be in breach of its permit conditions relating to emissions limits, allowing polluting substances to enter surface and groundwater to enter surface and groundwater. The company also failed to notify the Agency without delay of the pollution incident.

The EA approved surface water collection system had a slight contamination from leachate from seepages from restored landfill areas.

5.0 Effect of the offences on the environment and/or people

Within the Nant y Bradnant a length of the stream from the landfill area appeared to have growth of sewage fungus across the bed. Environment Agency water monitoring demonstrated that the pollution covered the length of the Nant Y Bradnant up to the confluence with the River Severn, covering a distance of three kilometres. The elevated ammoniacal nitrogen concentrations were not considered poisonous or noxious and there were no risk to human health. The Environment Agency noted at the hearing that the River Severn had not been polluted and the pollution of Nant Y Bradnant had been "for a matter of weeks only".

6.0 Ensuring compliance in the future

Please describe the measures you have taken to prevent the offence happening again. Include your plans for audit and review.

Since the incident, substantial progress has been made towards redeveloping the surface water management for the site:

Following the incident the company investigated the options for improving the surface water management system at the site. It was decided that the best option was to construct a new reed bed to provide final polishing of surface water before it is discharged to the Nant y Bradnant. The scheme design was finalised and planning permission was sought in late 2010. Subsequently, the planning permission for the reed was granted in 2011. As part of these discussions the EA also approved the Permit Variation Application that had been outstanding for a number of years.

The Company are currently in discussion regarding the detailed design of the reed bed.

In the meantime, the company has since the incident taken other steps to prevent reoccurrence of the incident. These include more robust capping and an increase in the storage capacity of the surface water balancing ponds.

7.0 Potential for repetition

Do you think it is likely that the offences will happen again? Tick one box.

☐	High	(likely to happen again)
☐	Medium	
☑	Low	(unlikely to happen again)

Give reasons and explain why in the box below:

The prosecution related to a minor technical breach, we have now agreed a discharge consent that is in excess of the concentration of our previous breach.

8.0 Details of all authorisations

List the authorisations that the convicted person holds, is applying for or for which they are a relevant person. List all:

- EPR permits for waste activities or Schedule 1 EPR activities (includes former waste management licences and PPC permits for specified waste management activities);
- registration of waste brokers/carriers/dealers.

Type of authorisation(s) held and/or being applied for (state if it is an application)	Authorisation's unique number	Are you the holder of the authorisation or a relevant person? Enter 'holder' or 'relevant person'
EPR (Bryn Posteg Landfill Site)	TP3331LJ (original permit BU7766IC)	Holder
EPR (Brecon Transfer Stn)	30106 (original no. Brec/03/93)	Holder
EPR (Bryn Posteg MRF)	47120	Holder
Carriers registration	CB/CE5034FL	Holder

Please use the space below to provide and further information that you want us to be aware of: