

Compliance Assessment Report CAR_NRW0039716

Permit being assessed: CB3834RQ.

For: Bryn Posteg Composting Facility, held by Sundorne Products (Llanidloes) Ltd

At: Bryn Posteg Landfill, Tylwch Road, Llanidloes, Powys, SY18 6JJ.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 12/04/2022 between 12:40 and 16:00.

Parts of permit assessed: See below

NRW Lead Officer: Paul Challender, accompanied by Jamie Blythin.

Report sent to: Deborah Hall/Paul Wren, Environment, Health and Safety Compliance Manager/Site Manager on 29/04/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	Permit Condition 2.3.1, Table 2.3.
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
1	4

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
B3	Implement infrastructure changes to prevent liquids escaping from the un-bunded vehicle access point.	03/06/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

This inspection was a routine unannounced inspection by the Natural Resources Wales (NRW) officers Paul Challender & Jamie Blythin. During the visit the other permitted areas of the site were inspected which, are the subject of separate Compliance Assessment Report (CAR) forms. This CAR form deals with the composting facility permit CB3834RQ only but will refer to other permits and CAR forms as appropriate.

During the inspection the weather was mild, overcast with a light breeze after a period of heavy, persistent rain. On arrival the inspecting officers met with the new site manager who escorted the inspecting officers for the duration of their time on site.

The compost pad had only a small volume of green waste material on the pad. Post-process off-specification compost had been removed from the pad and had been deposited on the top of the landfill. As the area of deposit is within the landfill's permitted area as defined by Schedule 7 of BU77661C, this occurrence is discussed in the CAR form CAR_NRW0039829. Two distinct areas of green waste were present on the pad. Both appeared to be within the effective area of the bund which, controls surface run off. One area was comprised of green waste from a green waste contract which, we were informed is being removed from site slowly for processing at another regulated facility. Waste transfer notes were available to view for these transfers. Currently, fresh green waste is deposited at the head end of the exiting windrow. Upon waste removal all newly deposited green waste is removed and a portion of the older green waste is removed to make up a full load for conveyance to the third party waste facility. The second area of green waste material was the leylandii type hedging that had been removed from the boundary of the landfill site and had been previously stored in the building in the MRF permitted area.

Despite the recent rain, run off from the compost pad was low. All green waste was stored in the area where the fall of the impermeable surface appeared to be capturing the runoff from the waste piles within the bund and off take pipe. There was still visible compost leachate across most of the pad which, could escape past the bunded area. In addition, the pit which had been dug on the bank to capture liquid that can escape via this route was almost full. The pipe from the bund flows to a concrete sump. This sump was significantly lower than during the last inspection and was not overflowing to the old metal tank which, has integrity issues. Free board existed in the concrete sump. The site manager explained that he was sucking out the leachate to manage this. The pipes that link the compost leachate system to the landfill leachate system were still present and had an air supply but they did not appear to be pumping during the inspection visit. Looking down upon the old metal leachate tank there was no evidence of pooling liquids as had been previously

witnessed.

Despite the vastly improved situation on the pad with regard to drainage due to the reduction in materials on the pad, surface runoff is still able to escape past the bund and therefore cannot be described as *impermeable surface with sealed drainage*.

Score: (B3) Site Drainage engineering (Clean and Foul). Permit Condition 2.3.1, Table 2.3. CCS Score 3.

Action: Implement infrastructure changes to prevent liquids escaping from the un-bunded vehicle access point.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.