

## Compliance Assessment Report CAR\_NRW0040690

**Permit being assessed:** BU7766IC.

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

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

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

On 07/11/2022 between 11:15 and 14:15.

Parts of permit assessed: Site inspection

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

**Report sent to:** Paul Wren , Site Manager on 16/11/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
E3 - Emissions - Surface water	Action only (X)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
E1 - Emissions - Air	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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
E3	In writing, provide NRW with an update/ plan (with timescales) in relation to how you aim to reduce the suspended solids in the discharge of surface water from the site (see Decision Document for part refusal of permit variation BU7766IC/VO10 sent 16/06/22)	16/12/2022
B1	In writing, provide NRW with an update/ plan (with timescales) in relation to how you aim to address exceedances of compliance limits in peripheral landfill gas monitoring boreholes (see Decision Document for part refusal of permit variation BU7766IC/VO10 sent 16/06/22)	16/12/2022
E1	Complete emissions monitoring for the Biomass Boiler in line	23/12/2022

Criteria	Action needed	Complete by
	with permit condition 3.7.1 (b) (Table S3.2) by the specified date and send NRW a copy of the emissions test report when it is issued	

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 site inspection was carried out in response to recent reports of odour (WIRS 2207854) and noise (WIRS 2207527) from the site. Before carrying out the site inspection, officers completed an offsite odour assessment around the perimeter of the site and walked across the fields to the north and north-east of the site. It should be noted that there was intermittent rain and a strong wind while the offsite odour assessment was completed. The wind was blowing from the south-west.

Officers identified a slight waste odour along the north-east boundary. This odour was localised and transient (present for approximately 10 seconds before disappearing).

Officers identified a slight landfill gas odour along the northern boundary. This odour was localised and transient (present for approximately 10 seconds before disappearing).

While walking along the northern boundary fence, officers noted that the aerator pump in the leachate treatment lagoon was making a droning noise. Officers had never heard this noise on the site before. Although this noise was localised due to the weather conditions at the time (it could only be heard when standing by the leachate treatment lagoon), there is the potential for this to be heard further away under different weather conditions.

Officers discussed offsite odour and noise observations with the Site Manager when they attended site.

The Site Manager explained that the noise was coming from one of the aerator pumps (in the leachate treatment lagoon) and that this would be turned off. They confirmed that this would be turned off during the evening.

Officers completed a second offsite odour assessment around the perimeter of the site in the company of the Site Manager. Officers identified a slight waste odour along the north-east boundary. This odour was localised and transient (present for approximately 10 seconds before disappearing). No landfill gas odours were identified at this time.

The operator is continuing to complete daily odour assessments and apply daily cover over

the waste at the end of the working day.

The Biomass Boiler / Small Waste Incineration Plant (SWIP) was operational. The plume was white/ grey. There were no odour or noise issues associated with this.

Officers observed a number of seagulls around the active cell. However, there were no offsite issues associated with the birds.

The operator is due to start construction work on a solar farm in the fields to the north of the site imminently. The solar farm is not part of the environmental permit and is not regulated by Natural Resources Wales (NRW).

Following the site inspection, officers had a routine monthly catch- up meeting with the operator on 09/11/22. During this meeting, several actions were raised:

- 1) In writing, provide NRW with an update/ plan (with timescales) in relation to how you aim to reduce the suspended solids in the discharge of surface water from the site (see Decision Document for part refusal of permit variation BU7766IC/VO10 sent 16/06/22) – Due date 16/12/22
- 2) In writing, provide NRW with an update/ plan (with timescales) in relation to how you aim to address exceedances of compliance limits in peripheral landfill gas monitoring boreholes (see Decision Document for part refusal of permit variation BU7766IC/VO10 sent 16/06/22) – Due date 16/12/22
- 3) Complete emissions monitoring for the Biomass Boiler in line with permit condition 3.7.1 (b) (Table S3.2) by the specified date and send NRW a copy of the emissions test report when it is issued - Due 23/12/22

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](mailto: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](mailto: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.