

Compliance Assessment Report CAR_NRW0045686

Permit being assessed: BU77661C.

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

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

Type of assessment: Site Inspection,

Reason: Routine.

On: 23/10/2024 between 13:00 and 15:30.

Parts of permit assessed: Site inspection.

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

Report sent to: Site Manager, Site Manager, on 06/12/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2A - Installations - Operations - Permitted activities	Assessed (A)	
IR3C - Installations - Emissions and monitoring - Odour	Assessed (A)	
IR1A - Installations - Management - General Management	Action only (X)	
IR2A - Installations - Operations - Permitted activities	Action only (X)	
IR3D - Installations - Emissions and monitoring - Noise and vibration	Assessed (A)	
IR3F - Installations - Emissions and monitoring - Pests	Assessed (A)	

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

Total 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
IR1A	Action 1: Operator to update Environmental Management System (EMS) and Site Operational Procedures (SOPs) to include a daily visual check on the consented trade effluent sample point and keep written records.	06/01/2025
IR2A	Action 2: Provide NRW with a written update in relation to using the compost in restoration works (as specified in CAR_NRW0040005) within a reasonable timeframe or removing it from the site.	16/12/2024

Compliance 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 Compliance Assessment Report (CAR), follows a routine site inspection at Bryn Posteg Landfill.

Before arriving at site, officers completed offsite litter checks in the fields adjacent to the landfill and olfactory (odour) monitoring around the perimeter of the site.

A small amount of litter was observed in one of the fields to the west of the site (approximately less than 10 small pieces of litter). The amount of litter observed at the time was not significant and the surrounding fields and roads appeared to be litter free.

A slight landfill gas odour was detected to the north east of the site. This odour was localised and transient. It should be noted that moderately strong agricultural odours (silage) were also detected in this area. Landfill gas odours were not detected at any other location.

Officers checked the consented trade effluent sample point (manhole) in the field to the NW of the site. There was a small amount of staining around this manhole. Earlier in the year, officers observed evidence of surcharging and the operator installed a new antifoam pump to prevent this (see CAR_NRW0044179). The operator also agreed to carry out daily checks of this manhole. The operator confirmed that checks were being completed but officers did not see any written records of daily checks of the manhole.

Action 1: Operator to update Environmental Management System (EMS) and Site Operational Procedures (SOPs) to include a daily visual check on the consented trade effluent sample point and keep written records.

On arriving at site, officers were met by the Site Manager and Environmental Technician, who accompanied them around the site.

The operator is in the process of completing a number of actions following a landfill gas audit by NRW's Landfill Emissions Reduction Project (LERP) Team (see CAR_NRW0044179).

On 28/10/24, the operator requested an extension of one month for each of the compliance deadlines included in CAR_NRW0044179. On 05/11/24, NRW sent the operator confirmation of agreement to this extension request. The operator needs to be mindful of the new compliance deadlines for the actions contained in CAR_NRW0044179:

- **Action1:** *Ensure the site is operated following the site's gas management plan- Due 09/12/24*
- **Action 2:** *Provide NRW with an action plan that addresses each of the recommendations raised in the LERP Landfill Gas Audit Report (including those that refer to recommendations outlined in the Gas migration report 5695-CAU-XX-XX-RP-V-0302, written by Caulmert). For each recommendation, the operator needs to state how they intend to resolve each issue and provide a reasonable completion date. Due 09/12/24.*
- **Action 3:** *Following the submission of the action plan (see Action 2), provide NRW with a written progress update for each recommendation on the last day of each month until all recommendations have been completed. Due 09/12/24*
- **Action 4:** *Update the EMS to ensure compliance with the permit requirements. Staff must be trained on gas management, inspection and maintenance of the gas infrastructure. Due 06/01/25*
- **Action5:** *Provide NRW with an up to date staff organisational chart for the site with clearly defined roles and responsibilities. This should include all aspects of landfill gas and leachate management. Due 09/12/24*
- **Action 6 :** *Wells must be dipped to find the leachate level or areas of perched leachate within the gas field. Provide results to NRW. Due 06/01/25.*

- **Action 7 :** *Repair holes identified in the capping across the site. See Action 2. Due 06/04/25*
- **Action 8:** *Repair all damaged gas infrastructure as identified by the NRW LERP audit and from the annual FID surveys. See Action2. Due 06/04/25*
- **Action9:** *Provide NRW with a plan and a timeline for the installation of temporary capping on areas of the landfill that won't be tipped on in the next 6 months. See Action 2. Due 09/12/24*

Waste tipping operations continue to be carried out in the active tipping cell to bring waste up to final levels. Although the size of the tipping area has decreased since the last inspection, it still remains large. A number of compliance actions issued following the landfill gas audit (see CAR_NRW0044179 & actions listed above) aim to reduce the size of the tipping area and ensure adequate temporary/ permanent capping is installed.

Waste compost remains stored on top of the landfill cap. This compost was originally moved here in 2022 with the intention of using it as part of the restoration of the landfill. NRW agreed to the use of this compost as specified in CAR_NRW0040005.

Capping & restoration works have not progressed and the operator needs to complete these works, as agreed, within a reasonable timeframe or remove the compost from the site.

Action 2: Provide NRW with a written update in relation to using the compost in restoration works (as specified in CAR_NRW0040005) within a reasonable timeframe or removing it from the site.

The Small Waste Incineration Plant (SWIP) was not operational and the operator stated that it was unlikely to run in the future.

Both leachate lagoons had adequate freeboard space and there were no significant odours observed when stood next to them.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.