

Compliance Assessment Report CAR_NRW0045761

Permit being assessed: CB3991ZT.

For: North Powys Bulking Facility, held by Powys County Council

At: Abermule Business Park, Abermule, Powys, SY15 6FB.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 04/12/2024.

Parts of permit assessed: Improvement Programme

NRW Lead Officer: Liz Park.

Report sent to: Nigel Hicks, TCM/ Site Manager on 05/12/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
W2G - Waste - Operations - Improvement programme	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
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?

No action required.

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

Liz Park (Senior Officer - Waste Regulation*) and NRW's Air Quality and Noise Team undertook an assessment of the following Improvement Conditions following submission of the relevant reports:

(WG2) Improvement Programme - Permit condition 2.5.1 - The operator shall complete the

improvements specified in schedule 1 table S1.3:

IPC1 - With respect to odour monitoring of on-site waste following successful commissioning and establishment of routine steady operation

and

IPC4 - With respect to noise impact assessment following successful commissioning and establishment of routine steady operation.

IPC1 - Odour Impact Assessment

On 28/08/2024, following an agreement to extend the submission deadline, WRAP on behalf of Powys County Council submitted the report entitled - Odour Impact Assessment v1.4 together with associated modelling files, odour sampling and analysis certificates, to comply with IPC1. The Odour Impact Assessment only includes food waste as residual and AHP waste are not yet accepted. Further improvement conditions will require further monitoring as and when these wastes are accepted. IPC1 required the odour monitoring to be taken during the summer months which has been achieved. The consultant has followed H4 Odour Management: How to Comply with your Environmental Permit - Environment Agency 2021

NRW's assessment concludes that NRW broadly agrees with the consultant that the 1.5 ouE/m³ for residential receptors (high sensitivity) and 3 ouE/m³ for business receptors (medium sensitivity) benchmarks from are not likely to be exceeded at residential or commercial receptors respectively for the food waste on-site.

IPC1 has been met.

IPC4 - Noise

On 02/05/2024, Powys County Council submitted the report entitled - North Powys Bulking Facility Noise Impact Assessment Rev 2 May 2024, to comply with IPC4.

The impacts of external free field noise at sensitive receptors resulting from equipment and activities associated with the proposed development have been reviewed in accordance with the assessment criteria of BS 4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound.

NRW agree with the consultant's conclusions that predicted noise impacts for the typical scenario (loading a bulk lorry inside the building and pressure washing vehicles in the washing bay, simultaneously and continuously for one hour) are not likely to exceed the level at which adverse impacts are present.

NRW broadly agrees with the consultant's conclusions that predicted noise impacts for the worst case scenario (includes bulk loading of lorries with glass adjacent to the glass bay (weekly) at the same time as the loading of another bulk lorry within the building and pressure washing of a vehicle) predicts an adverse impact at receptors NR1 (Bryn-y-Maes)

and NR3 (Maesderwen), and that looking at the context argument in Section 6.3, that the information supplied is sufficient to consider the impact as low.

IPC2 has been met.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

**At the time of undertaking this review, Liz Park was the temporary Team Leader for the North Powys Environment Team.*

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.