

Compliance Assessment Report CAR_NRW0045942

Permit being assessed: BU77661C.

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

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

Type of assessment: Report/Data Review,

Reason: Routine.

On: 10/01/2025.

Parts of permit assessed: Waste Returns.

NRW Lead Officer: Kathryn Bradshaw.

Report sent to: Site Manager, Site Manager, on 21/01/2025.

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

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition |
|---|-------------------|------------------|
| IR4A - Installations - Information - Records | Action only (X) | |
| IR2H - Installations - Operations - Waste acceptance (only applicable to landfill) | Action only (X) | |
| IR1E - Installations - Management - Avoidance, recovery and disposal of wastes produced by the activities | Action only (X) | |

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 |
|----------|--|-------------|
| IR4A | Provide an explanation of the reasons why all three quarters for waste acceptance are exactly the same in 2024 | 28/02/2025 |
| IR2H | Provide a copy of your waste acceptance procedure. | 28/02/2025 |
| IR1E | Provide the testing and supporting information that has determined your classification of the leachate as non- | 28/02/2025 |

| Criteria | Action needed | Complete by |
|----------|---------------------------|-------------|
| | hazardous waste 19 07 03. | |

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) has been raised following a review of waste returns submitted to NRW from Q1 2020 to Q3 2024.

All waste codes accepted to site comply with Schedule 2 of your permit except for Q3 2021 when waste type 16 10 02 contaminated site run off was accepted to site. This was raised and scored in a previous CAR form - NRW0038707.

The waste returns submitted for Q1 to Q3 2024 show the waste accepted as exactly the same waste types, tonnages and Local Authority Area for each quarter submitted, see below:

Q1 Accepted

| | | | | |
|-----------|--------|---|-------------------------------------|---------|
| Liverpool | 191212 | Other wastes from mechanical treatment of wastes other than those mentioned in 19.12.11 | D05.02 Non hazardous waste landfill | 3357.12 |
| Powys | 191212 | Other wastes from mechanical treatment of wastes other than those mentioned in 19.12.11 | D05.02 Non hazardous waste landfill | 2449 |
| Powys | 170107 | Mixed Inert | D05.01 Inert waste landfill | 1957.54 |
| Gwynedd | 191212 | Other wastes from mechanical treatment of wastes other than those mentioned in 19.12.11 | D05.02 Non hazardous waste landfill | 2241.21 |
| Wigan | 190802 | Wastes from waste water treatment Waste From Desanding 19.08.02 | D05.02 Non hazardous waste landfill | 0 |

Q2

| | | | | |
|-----------|--------|---|-------------------------------------|---------|
| Liverpool | 191212 | Other wastes from mechanical treatment of wastes other than those mentioned in 19.12.11 | D05.02 Non hazardous waste landfill | 3357.12 |
| Powys | 191212 | Other wastes from mechanical treatment of wastes other than those mentioned in 19.12.11 | D05.02 Non hazardous waste landfill | 2449 |

| | | | | |
|-----------|--------|---|-------------------------------------|---------|
| Powys | 170107 | Mixed Inert | D05.01 Inert waste landfill | 1957.54 |
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| Wigan | 190802 | Wastes from waste water treatment Waste From Desanding 19.08.02 | D05.02 Non hazardous waste landfill | 0 |
| Q3 | | | | |
| Liverpool | 191212 | Other wastes from mechanical treatment of wastes other than those mentioned in 19.12.11 | D05.02 Non hazardous waste landfill | 3357.12 |
| Powys | 191212 | Other wastes from mechanical treatment of wastes other than those mentioned in 19.12.11 | D05.02 Non hazardous waste landfill | 2449 |
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This appears to be unusual compared to previous years where waste types and tonnages vary between quarters.

Action 1.

Provide an explanation of the reasons why all three quarters for waste acceptance are exactly the same in 2024.

This also raises queries around your waste acceptance procedures and if the data submitted is an accurate reflection of the amount and types of waste being accepted to site.

Action 2.

Provide a copy of your waste acceptance procedure.

Classification of landfill leachate.

Landfill leachate is likely to be classified with a mirror waste code 19 07 02*/19 07 03 . In order to be classified as 19 07 03 (i.e. non- hazardous) a waste assessment must be completed prior to the removal from the place of production in line with the technical guidance WM3 -Guidance on the classification and assessment of waste.

The non-hazardous waste code 19 07 03 should not be assigned to the waste unless it can

be shown the waste does not display any hazardous properties.

Action 3.

Provide the testing and supporting information that has determined your classification of the leachate as non-hazardous waste 19 07 03.

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.