

Compliance Assessment Report CAR_NRW0045988

Permit number	MP3330WP	Operator name	Resources Management U.K Limited
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Site name	Withyhedge Landfill
Site address	Withyhedge Landfill Bowlings House, Rudbaxton, Haverfordwest, Pembrokeshire, SA62 4DB.
Type of assessment	Audit

Date of assessment	06/01/2025	Time in	10:30	Time out	14:00
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Parts of permit assessed	Waste Acceptance
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NRW Lead officer	Rhodri Morgan	Accompanied by	Erin Smyth Evans
Report sent to – Name and position	Phil Ridley – Director	Date	30/01/2025

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
IR1A General Management	C3 Minor	1.1.1
IR2C Operating Techniques	C3 Minor	2.3.1
IR2H Waste Acceptance	Assessed (A)	2.7.1
IR3C Odour	Assessed (A)	3.3.1
IR2G Landfill Engineering	Assessed (A)	2.6.4

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

Total number of non-compliances recorded	Total non-compliance score
2	8

2. What action is required?

Compliance Criteria	Action needed	Complete by
IR1A IR2C IR2H	Prior to any waste loads being received on the landfill site, the information required to comply with the landfill's waste acceptance procedures must be submitted by the waste producer to Resources Management UK Ltd (RML) for assessment.	Immediately

Compliance Criteria	Action needed	Complete by
	Only following RML’s assessment that the waste batch and supporting information (e.g. Basic Characterisation etc.) conform to the requirements of the Landfill Directive and the EPR permit can the waste be accepted on site.	
IR2H	Liaise with the waste producer to ensure the Duty of Care documentation forms are completed correctly.	Immediately

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 prosecutions and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time we are issuing you with a Warning for the non-compliance recorded above. Warnings may influence any future enforcement response for continued or further non-compliance.

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

Resources Management (UK) Limited (RML) operates Withyhedge Landfill under the provisions of an EPR Permit (MP3330WP). The Site is a non-hazardous landfill and was constructed in two phases. Phase 1 accepted waste from 1985 until its closure in 2006. Phase 2 is where the current active tipping area is found at the Site.

Introduction

Waste disposal activities at Withyhedge Landfill were voluntarily suspended by RML between May 2024 and January 2025. This decision was made in response to the uncontrolled release of landfill gas and malodourous emissions from Cell 8 (Phase 2).

The cessation of waste acceptance allowed RML to cap all operational areas. All previous waste deposits within the landfill are now encapsulated and under gas abstraction.

Following a review of waste acceptance procedures and various onsite improvements RML recommenced waste disposal activities on the 6th January 2025.

A site visit was arranged on the 6th January 2025 to conduct a waste acceptance audit of the landfill. Whilst onsite we also undertook an inspection of the current Operational Area (Cell

9) and the adjacent Waste Transfer Station (WTS) which is operated under a separate EPR Permit (QP3098FL).

NRW Officers were accompanied throughout the site inspection by the Site Manager, Technically Competent Manager (TCM) and Health and Safety Manager.

As the majority of the landfill's waste is initially accepted within the WTS, some elements of our compliance assessment have been documented in a separate CAR¹ (although general observations have been reproduced in this report for completeness).

Waste Acceptance Audit

Background

RML submitted revised waste acceptance procedures for waste disposal activities within Cell 9. These procedures were reviewed and accepted by NRW within CAR_NRW0045959. The revised waste acceptance procedures are now part of the permit; incorporated under Operating Techniques (Permit Condition 2.3.1).

The revised waste acceptance procedure (RML - Waste Acceptance [NSSL ARL Only] - v1.3) were used as a reference during the audit.

Audit Findings

Waste Acceptance

NRW Officers observed a number of vehicles being unloaded within the WTS and being subjected to Level 3 on-site verification. On each occasion the vehicle was witnessed proceeding over the weighbridge with the driver exiting the vehicle and entering the weighbridge office.

The weighbridge operative was observed confirming the contents of several loads with the vehicle drivers before allowing each vehicle onto Site. It appears that the relevant transfer documentation was checked and verified. Following this initial identification/ verification process the vehicle was directed to unload within a designated bay at the WTS.

The wastes we observed being unloaded within the WTS appeared to be shredded general waste, which is listed within the EPR Permit.

NRW officers witnessed the TCM and Site Manager inspect each of the loads as part of the Level 3 on-site Verification. A discussion was held with site personnel who provided a competent overview of the revised waste acceptance procedures.

NRW officers completed an independent visual inspection of the waste being deposited within the WTS's bays – for eventual disposal at the landfill. No evidence of any banned or

¹ CAR_NRW0045995

prohibited wastes were observed in any of the wastes we inspected during this visit. A slight waste odour was noted (characteristic smell with newer wastes) but this quickly dispersed.

Following RML's Level 3 on-site verification, the waste was observed being loaded into several trailers for onward deposition to the Withy hedge landfill (MP3330WP) for disposal in Cell 9.

All wastes accepted on the 6th January 2025 were initially accepted under the WTS permit before being transferred to the landfill (MP3330WP).

Document Review

Following a visual inspection of some of the waste loads being accepted within the WTS, we then proceeded to review the waste acceptance documentation which was provided by RML upon request.

The following documents were provided by RML:

1. Basic Characterisation (BC) Form
2. Level 1 Basic Characterisation Report
3. Annual Duty of Care (DOC) Form

1. Basic Characterisation Form

Following an initial review of the BC form it was evident that the description of the waste – "MRF Stone – Containing Inert Bricks/Ceramics" was not an accurate description of what NRW Officers had observed being accepted at the Site. The Site manager was queried on this and agreed.

Following a discussion with the Site manager it was determined that the incorrect BC form had been provided by the waste producer. Without the correct BC form, RML cannot assess whether the waste received at the site comply with the requirements of the permit.

This is considered a breach of permit conditions 1.1.1 and 2.3.1 as RML has failed to manage the operations in accordance with its management systems. As a result of this, a non-compliance score of C3 has been allocated against compliance sub-criteria IR1A – General Management and IR2C - Operating techniques.

Following a short discussion with the waste producer, RML provided a second BC form. This appeared to have the correct waste description – Non-Hazardous General Waste – which matched what NRW Officers observed being accepted at the Site.

No further discrepancies or permit non-compliances were noted within the BC Form. The form appeared to contain a suitable level of detail to correctly characterise the waste.

The document confirmed that a WM3 Assessment had been undertaken which is required for certain wastes classified as 19 12 12. These results of the WM3 Assessment were attached within the second document “Level 1 Basic Characterisation Report”.

The type of waste was listed as “Non-Hazardous” which is an appropriate classification for 19 12 12 (following a WM3 assessment). The description of the appearance of the waste – “Processed Municipal & Commercial waste – containing non-recyclable materials Mixed Colours, Solid” – is appropriate based on the observations of NRW Officers.

2. Level 1 Basic Characterisation Report

This document acted as the WM3 Assessment for the waste stream which was prepared by the waste producer. While a full review of the 342 page document was not undertaken, the methodology of the document appears acceptable.

The sample results and subsequent HazWasteOnline (HWOL) Reviews report the waste to be non-hazardous and suitable for acceptance at landfill.

3. Annual Duty of Care Form

A copy of the duty of care note used by the carrier to deliver this waste was also inspected and the following observations are made:

- The permit number of the waste producer is incorrect.
- The expiry date (25/04/2025) of the waste carriers registration is not listed.

RML must improve liaison with the waste producer to ensure the DOC forms are completed correctly.

Whilst this audit has only examined in detail the one waste type being delivered to site during the inspection, (General Waste – 19 12 12), RML must ensure that all future wastes accepted at the facility conform to the required waste acceptance procedures. Waste that does not must be rejected.

Site Observations

Operational Area (Cell 9)

Waste disposal activities have commenced within Cell 9 (Sub Cell A) following the submission and acceptance by NRW of the Construction Quality Assessment (CQA) Validation Report (CAR_NRW0045726). The cell has been constructed as three sub cells (Sub Cells 9 A – C) which will be filled sequentially to minimise open areas of waste.

RML has prepared a waste phasing plan for the filling of Cell 9 which was reviewed and accepted by NRW (CAR_NRW0045933). The plan details how disposal activities in Cell 9 will be managed to minimise emissions of landfill gas; from the initial deposit of waste at the base of the Cell through to capping.

Capping and gas abstraction infrastructure will be installed in a phased manner as the waste mass develops. A CQA Plan for the installation of the gas abstraction infrastructure has already been submitted and accepted (CAR_NRW0045814).

As per the waste phasing plan, RML were in the process of installing the access ramp into the cell. This material appeared free from any wastes that could cause damage to the underlying cell drainage and lining systems. No evidence of any banned or prohibited wastes – including wood – were observed in the areas that we inspected².

NRW Officers confirmed that the leachate well associated with Cell 9 (Sub Cell A) had been connected to the leachate extraction system.

Odour Assessment

No malodorous emissions were detected by any NRW officer at any location during the duration of the entire site inspection; either in the WTS or landfill.

Following the Site inspection, an off-site odour assessment was undertaken by NRW officers at several points within the surrounding community; including locations within Spittal, Poyston Cross and Rudbaxton.

No landfill gas odours were detected at any of the locations that we monitored. Agricultural odours were detected at several monitoring points.

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

² Article 5(3) COUNCIL DIRECTIVE 1999/31/EC

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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

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

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 – 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.