

Compliance Assessment Report CAR_NRW0046106

Permit being assessed: LP3395FJ.

For: The Graig Yffaldau Waste Transfer, **held by:** Powys Environmental Ltd

At: The Graig Yffaldau Waste Transfer Station, Llandegley, Llandrindod Wells, Powys, LD1 5UD.

Type of assessment: Site Inspection,

Reason: Routine.

On: 22/01/2025 between 11:00 and 12:30.

Parts of permit assessed: All.

NRW Lead Officer: Malcolm Dines, accompanied by Jeremy Goddard.

Report sent to: Tim Richards, Technically Competent Manager, on 03/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	Action only (X)	
W2A - Waste - Operations - Permitted activities	C3 Minor	2.1.1
W2E - Waste - Operations - Waste acceptance	Assessed (A)	
W4B - Waste - Information - Reporting	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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
W1A	Undertake a litter pick around the site to collect all windblown material	14/02/2025
W2A	Ensure non-hazardous wastes are treated inside a building	04/02/2025

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.

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 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

This was an unannounced routine compliance visit undertaken by Malcolm Dines (Waste Regulation Officer) and Jeremy Goddard (Team Leader, Mid Wales Waste and Enforcement Team), who me with and were accompanied for the duration of the visit by Tim Richards, owner and Technically Competent Manager of the site. The weather was dry and bright.

Permit Breaches

W2A - Permitted activities - Permit condition 2.1.1 - Cat 3

You have received the above category 3 breach of permit condition 2.1.1 because during the compliance visit it was seen that wastes were treated (sorted) outside a building.

Actions from the last compliance visit undertaken on 22 June 2023 required you to ensure that no wastes were stored against the transfer building and that all non-hazardous wastes are stored either within the building, or in containers on the impermeable pavement. During this visit it could be seen that there were no wastes stored against the building and your staff were busy sorting mixed wastes on the concrete pad processing the material through the picking line.

While the picking line is in a building, the mixed wastes are deposited on the concrete and are initially sorted prior to be being loaded onto the picking line. Your permit states that all storage and treatment of non-hazardous wastes must be on an impermeable surface within a building. This means that wastes to be sorted using the picking line must be deposited in the main building and then transported to the picking line. On site it was seen that mixed wastes were being deposited on the impermeable pavement outside the picking line and slowly sorted and loaded onto the picking line from there. While I accept that the set-up of your site and the limitations of an old permit make it difficult to manage the site efficiently, you have the choice to vary your permit to allow you to store and treat certain wastes outside.

While this was an improvement on the amount of wastes being stored on the impermeable pavement during the last compliance visit, it could be seen that from the amount of litter

around the site in the vicinity of the impermeable surface that the procedure you currently follow has resulted in some of the lighter wastes being blown by the wind.

Action: Ensure that you comply fully with the conditions of your permit with regards to the restrictions on the storage and treatment of wastes, **with immediate effect**

Action: Undertake a litter pick around your site to collect all the windblown material, **by 14 February 2025**

Other Matters

Prior to the visit I reviewed your waste return for the 9 months until the end of March 2024 as no other returns were available. Following the visit you were able to ensure that all required returns had been submitted and these were added to the review.

The review identified that over the 18 months of the review period, you accepted around 3530 tonnes of waste and exported around 2200 tonnes. While 300 tonnes of the material was inert wastes that you have used to create a track at the site under a U1 exemption, this leaves around 1000 tonnes difference in wastes accepted to exported and seemingly this difference was all 20 03 01 Mixed Municipal Wastes. While it is acknowledged that you put most of the mixed municipal wastes accepted at your site through your picking line and some recyclable waste is recovered, there is a 1300 tonne difference between the amount of mixed municipal wastes accepted at the site and that removed. Prior to the site visit the initial review identified that the difference was around 900 tonnes and so I expected to see quite a large stockpile of wastes on-site. I was pleased to see that the site was quite tidy and that there was no significant stockpile of material however, this does give me concern as to why there is such a big difference reported on your waste returns. It is likely that I will be looking into this further during future compliance work.

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.

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 Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – 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.