

## Compliance Assessment Report CAR\_NRW0046369

**Permit being assessed:** MP3330WP.

**For:** Withyhedge Landfill, **held by:** Resources Management U.K Limited

**At:** Withyhedge Landfill Bowlings House , Rudbaxton, Haverfordwest, Pembrokeshire, SA62 4DB.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 10/02/2025 between 10:00 and 14:15.

**Parts of permit assessed:** See CAR Summary.

**NRW Lead Officer:** Elliot Jones, accompanied by Benjamin Taylor.

**Report sent to:** Phil Ridley, Director, on 21/02/2025.

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

| Part of permitted activity assessed (compliance criteria)                          | Assessment result | Permit condition |
|------------------------------------------------------------------------------------|-------------------|------------------|
| IR1A - Installations - Management - General Management                             | Action only (X)   |                  |
| IR2C - Installations - Operations - Operating techniques                           | Assessed (A)      |                  |
| IR2H - Installations - Operations - Waste acceptance (only applicable to landfill) | 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     | Construct Permanent means of safe access down slopped bank near D2 discharge point. | 21/03/2025  |

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.

**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

#### **Withyhedge Landfill**

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 the current operational area. Operator recently recommenced waste disposal activities on the 6<sup>th</sup> January 2025.

#### **Introduction**

An unannounced site inspection of the landfill (MP3330WP) was performed by NRW officers on the 10th February 2025.

Inspection included observation of the following:

- Rudbaxton Water sampling locations
- Waste disposed in the current operational area, Cell 9A and 9B.

#### **Site Observations**

During the visit Officers attended a number of additional sampling locations in the Rudbaxton. Sampling locations have been identified as key locations for monitoring the health of the waterway.

Following approval by conservation officers, minimal vegetation has been cleared within the SSSI to allow safe access and egress to the watercourse.

**Action: Construct permanent means of safe access down sloped bank near D2 discharge point.**

#### **Waste Transfer Station**

NRW officers observed two Atlantic recycling lorries delivering waste within the waste storage bays of the Waste Transfer Station (WTS). Waste being delivered was classified as 19 12 12 shredded general waste. NRW officers were satisfied the waste met this

description and was classified correctly.

Waste material was free of objects with potential to cause harm to the cells engineered layers or drainage system. No evidence of any banned or prohibited waste types in the waste deposited at the WTS.

Officers detected a very mild waste like odour emanating from the deposited waste at the WTS.

Wastes delivered on the 10th February 2025 included, waste accepted under the WTS permit (QP3098FL) before being deposited within the landfill, and also waste accepted under the landfill permit (MP3330WP) being deposited directly to the landfill cells.

### **Operational Area**

Waste trailers entering the operational area via Cell 9A, waste has bridged across the dividing bund between cells 9A and 9B. Waste being deposited along the Northern edge of Cell 9B.

Waste being deposited was visually inspected, no evidence of any banned or prohibited waste types in the waste mass.

Operator has extended the height of the leachate wells in cell 9A and 9B to reflect the changing height of the surrounding waste mass. A good standard of daily cover has been applied across the whole of cell 9A.

Whilst inspecting the previously deposited waste, officers detected a mild waste like odour.

Operators' environmental contractor was on site undertaking H2S survey within the active tipping cells. Following discussions, survey did not return any concerning results.

Whilst on site officers also noted the absence of pests on the landfill.

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](mailto: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](mailto: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.