

Compliance Assessment Report CAR_NRW0048707

Permit being assessed: DB3930AB.

For: Rhayader Depot, **held by:** Powys County Council

At: Station Road, Rhayader, Powys, LD6 5AW .

Type of assessment: Site Inspection,

Reason: Incident Response (Incident number 2505499).

On: 18/06/2025 between 12:00 and 13:00.

Parts of permit assessed: See criteria listed below.

NRW Lead Officer: Luke Taylor.

Report sent to: Nigel Hicks , TCM , on 13/08/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W3B - Waste - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.2.1

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
W3B	Review and update the OMP as required, supplying a copy to NRW when completed for review	30/09/2025

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 Compliance Assessment Report is being produced following reports received by Natural Resources Wales of odour emissions from Rhayader depot. The site was visited in response to those reports by the site officer, Luke Taylor (Senior Officer - Waste Regulation) of Natural Resources Wales, on Wednesday 18th June.

The weather at the time was dry and warm, with a light breeze.

Prior to attending the site on the above date, the officer conducted an odour assessment outside of the site boundary, within the area of Station Road and Glan Gwy, Rhayader. No odour was detected.

The officer then attended the site and met with site staff. A check of the site records showed that an odour assessment had been conducted earlier in the day. The officer conducted a further assessment of odour within the site boundary, using the same location plan, with marked locations, as that used by the site staff. One of the doors to the transfer building was open at the time, as there had been a deposit of residual waste prior to the officer attending site.

During the course of the assessment, odour was detected in front of the transfer building, assessed using the odour assessment matrix within the H4 Guidance document as:

Intensity - 3 Distinct Odour

Persistence - Frequent

Odour was also detected along the site boundary near the old station platform, assessed as:

Intensity - 2 Faint Odour

Persistence - Intermittent

At both locations the odour was considered by the officer to be residual waste. No other odour was detected.

Further Odour Assessments

Prior to the submission of this Compliance Assessment Report, further reports of odour were received by NRW. In response to these reports, the officer attended the location again on 1st July and conducted an odour assessment outside of the site boundary. At the time of attendance vehicle movements could be heard within the site. From a position approx 5m in front of the rear gate to the site on Station Road, which is approx 25m outside the permit boundary, no odour was detected.

The officer has then attended a property adjacent to the site boundary. No odour was detected on entering the front garden area of the property. On entering a yard area at the rear of the property, open to the air but enclosed on all sides, an odour was detected, which came and went on the breeze. The officer was unable to determine what the origin of the odour was, but assessed it as:

Intensity - 2 Faint Odour

Persistence - Occasional

Duration - 3 minutes

As stated above, vehicle movements could be heard from within the site at the time, and it is possible that a door to the transfer building was open.

The following day, Wednesday 2nd July, the officer has attended the area of Station Road at the rear of the site, outside the boundary, to conduct a further assessment for odour. The weather was warm and dry, with a strong breeze. At approx 5m from the rear gate to the site, 25m outside the permit boundary, odour was detected, identified by the officer as residual waste:

Intensity -2 Faint Odour

Persistence - Intermittent

Duration - 5 minutes

Two further assessments have been conducted by site officer, in company with Gillian Coates (Hazardous Waste Regulation Officer) of NRW, on Thursday 10th July. Firstly, in the morning, again, approx 25m outside the site boundary near the rear gates to the site on Station Road, and also within the car park of Glan Gwy. The weather at the time was warm and dry, with a light breeze. No odour was detected.

The officers attended again in the afternoon to the same locations. Odour was detected near the rear gates to the site. This was identified by both officers as residual waste.

Intensity - 3 Distinct Odour

Persistence - Intermittent

Duration - 5 minutes

The doors to the transfer building were all closed, and there were no vehicle movements ongoing. However, there was a refuse collection wagon within the yard, parked near the transfer building. It may be that this was the source of the odour.

W3B - Emissions of substances not controlled by emission limits - Permit Condition 3.2.1 - Category 3

Odour has been detected by officers of Natural Resources Wales outside of the permit boundary, and whilst this was at low level, it was determined that this had a minor effect on the amenity in the local area.

Permit condition 3.2.1 states that emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

Under Section '3.5 General Housekeeping' within the Odour Management Plan, it states:

'..any vehicle entering the residual waste bay will be washed down on leaving that area. This process removes the potential for waste and/or odour to be moved around the site and outside. All vehicles are cleaned after use, prior to being parked on site to reduce potential odour emissions'

During the odour assessment conducted on the afternoon of 10th July, a refuse collection vehicle was parked in front of the transfer building which may have been the cause of the odour detected.

Permit condition 2.3.1 (b) states:

If notified by Natural Resources Wales that the activities are giving rise to pollution, the operator shall submit to Natural Resources Wales for approval within the period specified, a revision of any plan or other documentation ("plan") specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan , and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by Natural Resources Wales.

Within Table S1.2 is listed 'Rhayader Waste Transfer Station Odour Management Plan (V8)

Dated: 15/03/2023'.

In line with H4 Guidance, you should review the effectiveness of your odour control measures at least once a year, and in response to reports of odour emission. Following previous reports, an appropriate measures assessment was conducted in 2023. Such assessments consider the level of pollution, the site's particular circumstances, and the cost benefit analysis of implementing measures. Currently, there is one known sensitive receptor in the area of the site. Confirmation has been received that V8 of the Odour Management Plan is still the current version in use.

It may be that there are further measures that can be implemented or amendments made since the previous review in March 2023. Once a review has been completed, please submit any revision to Natural Resources Wales for review.

ACTION - Review and update the OMP as required, supplying a copy to NRW when completed for review. Deadline 30/09/2025

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.