

Compliance Assessment Report CAR_NRW0049070

Permit being assessed: BU77661C.

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

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

Type of assessment: Site Inspection,

Reason: Routine.

On: 22/07/2025 between 13:30 and 16:40.

Parts of permit assessed: Site inspection .

NRW Lead Officer: Jamie Blythin, accompanied by Kathryn Bradshaw.

Report sent to: Site Manager, Site Manager, on 21/08/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.2
IR1A - Installations - Management - General Management	C2 Significant	1.1.1
IR3C - Installations - Emissions and monitoring - Odour	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
2	35

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
IR3B	Action 1: Ensure there is a quantity of suitable daily cover material stored on site that can be used to ensure adequate cover is applied over the entire active cell at the end of each	08/09/2025

Criteria	Action needed	Complete by
	day to reduce the potential for odours and litter. Provide evidence in writing to NRW confirming what measures have been put in place to ensure an adequate supply of daily cover is available on site by the specified date.	
IR1A	Action 2: Provide NRW with a written plan to significantly reduce the size of the active tipping face to the smallest workable size and specify how this will be managed to reduce the potential for odours, wind-blown litter and generation of increased volumes of leachate. Send this to NRW by the specified date.	08/09/2025

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

This Compliance Assessment Report (CAR) follows a routine, unannounced site inspection at Bryn Posteg Landfill.

Offsite observations

Before carrying out the site inspection, NRW officers completed offsite odour monitoring at the following locations: Llanidloes, Tylwch, Llidiartywaun and around the perimeter of the site. No offsite landfill gas odours were observed at this time.

Officers walked across surrounding fields and found evidence of litter that had been blown by the wind / carried by birds from the landfill in fields to the south/ south-west of the landfill. NRW considers this to be a breach of permit condition 3.2 (IR3B-Emissions of substances not controlled by emission limits-C3) and a non-compliance score has been applied.

The litter was raised during the site inspection with the Environmental Technician and Site Manager who stated that they would contact the landowner (fields to south/south-west of the landfill) and send out site staff to litter pick the fields.

Action 1: Ensure there is a quantity of suitable daily cover material stored on site that can be used to ensure adequate cover is applied over the entire active cell at the end of each day to reduce the potential for odours and litter. Provide evidence in writing to NRW confirming what measures have been put in place to ensure an adequate supply of daily

cover is available on site by the specified date.

Inspection findings

On arrival at site, NRW officers were met by the Environmental Technician. The Site Manager was not on site initially and arrived approximately 30 minutes later.

Documentation relating to waste acceptance at the site has been requested from the operator and will be assessed in a separate CAR.

Soils have been placed over the waste on the northern areas of the active tipping cell. This was acting as cover on this area of the cell. NRW officers discussed this with the Site Manager and emphasized that this did not constitute temporary or permanent capping.

Despite the covering of soil on sections of the active cell, the size of the tipping area remains very large and areas of exposed waste were visible. As highlighted following the Landfill Emissions Reduction Project (LERP) landfill gas audit in 2024, appropriate measures are not being implemented to manage the size of the active tipping area to ensure it is kept to the smallest workable size and reduce the potential for odours, wind-blown litter and the generation of increased volumes of leachate. This issue has been raised with the operator several times (see CAR_NRW0045686, CAR_NRW0045303, CAR_NRW0044179 and CAR_NRW0046535).

There were several piles of material e.g. soils, dredgings, stored adjacent to the active cell that the operator stated they were using for daily cover. However, given the large size of the active tipping area, the relatively small amount of daily cover present on site would not be enough to continually ensure the active cell is adequately covered at the end of the working day. The lack of daily cover has been raised with the operator on several occasions previously. It is imperative that the active cell is adequately covered at the end of each working day to reduce the potential for pollution.

Officers detected distinct landfill gas odours (3/6) while walking around the active tipping cell.

The installation of permanent capping/ temporary capping on areas of the site that are uncapped has not progressed. The Construction Quality Assurance (CQA) plan for permanent capping at the site (Document Reference: 3761.CAU.XX.XX.SP.Y.7700.A(5) February 2022) was signed off by NRW in March 2022 (CAR_NRW0039532). The operator has not provided a valid reason for not starting these works.

NRW determines the root cause of the issues raised in this report to be due to General Management. There are a lack of appropriate measures in place to manage the size of the active tipping area to ensure it is kept to the smallest workable size, to ensure consistent application of daily cover over the active tipping area to reduce the potential for scavenging birds/ wind-blown litter and capping (permanent or temporary) has not progressed since the CQA was signed off by NRW in 2022. NRW considers this a breach of permit condition 1.1.1 and a non-compliance score has been applied (IR1A-General Management-C2).

Action 2: Provide NRW with a written plan to significantly reduce the size of the active tipping face to the smallest workable size and specify how this will be managed to reduce the potential for odours, wind-blown litter and generation of increased volumes of leachate. Send this to NRW by the specified date.

Birds were observed flying above the tipping face. The operator used noise-scaring equipment during the inspection which resulted in some birds flying offsite temporarily.

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.