

Compliance Assessment Report CAR_NRW0049165

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: Report/Data Review,

Reason: Routine.

On: 18/08/2025.

Parts of permit assessed: Bryn Posteg Landfill Sundorne Products (Llanidloes) Ltd
Updated Addendum to Waste Recovery Plan Restoration Soil Upper profile Bryn Posteg
Landfill-Document Reference: 6687-CAU-XX-XX-RP-V-X300.A0.C1 July 2025.

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
IR2F - Installations - Operations - Pre-operational conditions	Action only (X)	

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
IR2F	Action 1: Only wastes listed in Table S2.5 and those previously agreed in writing with NRW (off-specification compost ,EWC 19 05 03, which has been manufactured on the adjacent composting permit CB3834RQ) shall be used for recovery. This does not include the use of off-specification compost which is not produced at Bryn Posteg.	22/08/2025

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

We have reviewed the following document:

Bryn Posteg Landfill Sundorne Products (Llanidloes) Ltd Updated Addendum to Waste Recovery Plan Restoration Soil Upper profile Bryn Posteg Landfill-Document Reference: 6687-CAU-XX-XX-RP-V-X300.A0.C1 July 2025

that was sent to NRW on 22/07/25 and relates to the production of topsoil for use in the restoration soil upper profile.

Condition 2.7.1 of the environmental permit states

'Wastes shall only be accepted for recovery if:

(a) they are listed in schedule 2, Table S2.5.'

Off-specification compost (EWC 19 05 03) is not listed as a permitted waste for recovery in Table S2.5. If the operator wants to deposit waste for recovery for waste types not specifically listed in Table S2.5 then they need to satisfy *Pre-Operational Condition Reference 1 in Table S1.4* which states 'The operator shall submit to Natural Resources Wales a waste recovery plan, and shall have approval in writing from Natural Resources Wales before undertaking the activity.'

The document '*Bryn Posteg Landfill Sundorne Products (Llanidloes) Ltd Updated Addendum to Waste Recovery Plan Restoration Soil Upper profile Bryn Posteg Landfill-Document Reference: 6687-CAU-XX-XX-RP-V-X300.A0.C1 July 2025*' refers to a previous document that the operator submitted to NRW on 14/04/22 '*Addendum to Waste Recovery Plan Restoration Soil Upper Profile-Bryn Posteg Landfill, Pre-production Declaration of Compliance BS3882:2015 Version 3 April 2022*'.

With reference to CAR_NRW0040005 that was issued on 10/06/22, NRW provided the following comments on this document:

'We have reviewed the following document 'Addendum to Waste Recovery Plan Restoration Soil Upper Profile-Bryn Posteg Landfill, Pre-production Declaration of Compliance BS3882:2015 Version 3 April 2022' which was submitted to Natural Resources Wales (NRW) on 14.04.22.

The operator is required to cap the landfill with soil for the purposes of engineering and returning the site to a natural appearance in line with contours/ final levels which have been agreed with NRW.

This document has been submitted to satisfy Pre-Operational Condition Reference 1 in Table S1.4 in permit EPR/BU77661C. The operator intends to produce a manufactured topsoil on site which will be used in restoration of the landfill. They propose to harrow off-specification compost (EWC 19 05 03) which has been manufactured on the adjacent composting permit (CB3834RQ) into imported subsoil to produce a topsoil.

NRW approves 'Addendum to Waste Recovery Plan Restoration Soil Upper Profile-Bryn Posteg Landfill, Pre-production Declaration of Compliance BS3882:2015 Version 3 April 2022.'

NRW approves the use of off-specification compost (EWC 19 05 03) which has been manufactured on the adjacent composting permit (CB3834RQ). This does not include the use of off-specification compost which is not produced at Bryn Posteg.

Quantities used will be those specified in 'Addendum to Waste Recovery Plan Restoration Soil Upper Profile-Bryn Posteg Landfill, Pre-production Declaration of Compliance BS3882:2015 Version 3 April 2022.'

We recently completed an audit of waste acceptance at the Bryn Posteg Landfill site (EPR/BU77661C). With reference to CAR_NRW0049091, significant issues were found in relation to waste acceptance and General Management. Therefore, we do not agree to the importation of off-specification compost (EWC 19 05 03) for use in the production of topsoil for use in the restoration soil upper profile as outlined in document *Bryn Posteg Landfill Sundorne Products (Llanidloes) Ltd Updated Addendum to Waste Recovery Plan Restoration Soil Upper profile Bryn Posteg Landfill-Documents Reference: 6687-CAU-XX-XX-RP-V-X300.A0.C1 July 2025*.

Action 1: Only wastes listed in Table S2.5 and those previously agreed in writing with NRW (off-specification compost ,EWC 19 05 03, which has been manufactured on the adjacent composting permit CB3834RQ) shall be used for recovery. This does not include the use of off-specification compost which is not produced at Bryn Posteg.

The operator has stated that NRW's decision on *Document Reference: 6687-CAU-XX-XX-RP-V-X300.A0.C1 July 2025* will inform the production of a new phasing plan for capping and restoration of the landfill.

It should be noted that this document concerns the production of topsoil for use in the restoration soil upper profile. The progression and completion of other aspects of the capping works as outlined in the permanent capping works CQA for the landfill (Document Reference: 3761.CAU.XX.XX.SP.Y.7700.A(5) February 2022) which was signed off by NRW in March 2022 (CAR_NRW0039532) are not contingent on the outcome of the review of 6687-CAU-XX-XX-RP-V-X300.A0.C1 July 2025. Many of these works can be completed before the placement of restoration soils.

The permanent capping works CQA (Document Reference:

3761.CAU.XX.XX.SP.Y.7700.A(5) February 2022) states that

'The scope of works include, but are not limited to:

- i) Setting out of the Works and carrying out as-built surveys (profiles, anchor trenches and panel layouts) as specified;
- ii) The location and recording of the tie in to adjacent capped areas and the geomembrane liner to the perimeter sidewalls;
- iii) Regularisation of the top of waste profile to the designed profile;
- iv) The preparation of a cap formation / lower protection layer on top of the regularised waste to provide a suitable surface for the placement of a 1mm (double textured) LLDPE geomembrane cap;
- v) Supply and installation of a 1mm LLDPE (double textured) geomembrane capping layer;
- vi) Supply and installation of a GDL over the 1mm LLDPE (double textured) geomembrane capping layer on the slopes capped in 2017 as well as all areas capped thereafter;
- vii) Installation of a 300mm thick layer of suitable protection materials to the Upper Protection Layer;
- viii) Overlaying of the 300mm thick Upper Protection layer the restoration soils (including the 300mm upper protection layer) shall be installed to a minimum thickness of 1000mm (800mm subsoil and 200mm Topsoil). These soils shall be placed to the minimum depth of 1000mm and locally thickened to 1500mm in tree planting areas and tied in with the existing landform and the planting requirements of the landscaping and planting scheme.
- ix) The supply and installation of geomembrane 'boots' and bentonite seals to the cap penetrations pertaining to gas and leachate wells.
- x) Extension of the existing landfill gas and leachate management infrastructure pipework (by others appointed by the Employer).
- xi) Protection of the existing (and extended) landfill gas and leachate management pipework.
- xii) The removal of the existing protection geotextile to the perimeter slopes of the 2017 capping works;
- xiii) Installation of a drainage channel at the toe of the capped slopes (toe drain) to manage surface water runoff and facilitate the drainage of the installed GDL;
- xiv) At the toe of the northern slopes (Drawing No. 3428-BP-SRA-5-03 P2) the existing GDL shall be extended to drain into the installed toe drain.'

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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.