

Compliance Assessment Report CAR_NRW0048792

Permit being assessed: RP3399FC.

For: Brecon Transfer Station - Cwrt Y Plyffin, **held by:** Powys County Council

At: Llanwern, Brecon, Powys, LD3 0RW.

Type of assessment: Site Inspection,

Reason: Routine.

On: 10/07/2025 between 11:30 and 12:30.

Parts of permit assessed: See criteria below .

NRW Lead Officer: Luke Taylor, accompanied by Gillian Coates.

Report sent to: Colette Evans , Operations Manager , on 13/10/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4B - Waste - Information - Reporting	C3 Minor	4.2.2
W1A - Waste - Management - General management	C3 Minor	1.1.1
W1A - Waste - Management - General management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
3	12

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
W4B	Submit all outstanding waste returns for Q1 and Q2 2025 to NRW	31/10/2025
W1A	Provide evidence to NRW that sampling of input and output material is occurring on site	31/10/2025
W1A	Provide a compliant divide within the bay to ensure the separation of the food and green waste streams	31/10/2025

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 an unannounced visit on 10th July 2025. The visit was conducted by Luke Taylor (Senior Waste Regulation Officer) and Gillian Coates (Hazardous Waste Regulation Officer) of Natural Resources Wales.

The weather at the time of the inspection was hot and dry. The site was operational.

The officers were accompanied during the inspection by site supervisor, Dan Vaughan.

W4B Reporting - Permit Condition 4.2.2 - Category 3

You have been scored for the above breach as no waste returns have been submitted for your site since October 2024. Your permit states that:

'Within one month of the end of each quarter, the operator shall submit using the form made available for the purpose, the information specified on the form relating to the site, and the waste accepted and removed from it during the previous quarter.'

From review, the last submission of waste return to Natural Resources Wales at the time of the inspection was for Q4 of 2024 (calendar year). Returns are required to be submitted for Q1 and Q2 of 2025, with Q3 (Jul, Aug, Sep) being due by October 31st.

In addition, as a Materials Facility, under Schedule 9 Part 2 of the Environmental Permitting (England and Wales) Regulations 2016, you are required to undertake sampling of incoming and outgoing wastes, in line with your sites sampling methodology. From review of the records, it is apparent that no sampling has taken place since October 2024. It was explained to officers that this was due to the staff member responsible having been off work. As a result, no returns have been returned since this time. As no sampling has been undertaken, it will not be possible to submit this element of the returns for this period as the information has not been recorded.

ACTION - Submit all outstanding waste returns for Q1 and Q2 2025 to NRW. Deadline 31/10/2025

W1A General Management - Permit Condition 1.1.1 - Category 3

You have been scored for the above breach owing to the failure to undertake sampling as required by Schedule 9 Part 2 of Environmental Permitting Regulations (England and Wales) 2016. As an operator of a notified materials facility, you are required to undertake sampling of input and output material, in line with a sampling regime which satisfies the frequency and quantities specified within the legislation.

Staff on site during the inspection informed the officers that the member of staff responsible for this activity has not been working since October, and that there is no contingency to address this requirement. As a result, none of the input or output material has been sampled for a ten month period.

Following the site inspection, and prior to the submission of this Compliance Assessment Report, you have informed NRW that staff are currently being trained to undertake the required materials facility sampling, with a view to have this in place by 30th September.

ACTION - Provide evidence to NRW that sampling of input and output material is occurring on site. Deadline 31/10/2025.

W1A General Management - Permit Condition 1.1.1 - Category 3

You have been scored for the above breach as it was identified during the inspection that food waste is being deposited within the green waste bay in order to be loaded for removal from site. Whilst the green waste is deposited and stored within the right hand side of the bay, there is no physical separation between the two waste streams during this process, and there was evidence of food waste remaining within the bay after removal, contaminating the green waste.

Your odour management plan states that, when food waste is removed from site, it is deposited on the ground from the sealed skips in which it is stored, in order to be loaded and collected. Following this process the OMP states that the area is then swept, with any missed food waste being loaded back into the skip, then swept again and pressure washed. This procedure had not been followed at the time of the visit, Dan Vaughan stating to officers that the last collection was the previous day.

You must ensure that the two waste streams do not come into contact with each other during this process. From discussion on site, the bay being used is large enough that an additional separating wall could be erected in the center, allowing for the storage of both waste streams without the risk of contamination.

Following the visit further discussion has taken place and the above works are to be carried out in order to resolve the issue.

ACTION - Provide a compliant divide within the bay to ensure the separation of the food and green waste streams. Deadline 31/10/2025

If you wish to discuss any aspect of this Compliance Assessment Report, please contact me:

luke.taylor@cyfoethnaturiolcymru.gov.uk

Regards,

Luke Taylor

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.