

Compliance Assessment Report CAR_NRW0050057

Permit being assessed: PP3195CR.

For: J A Bowen & Co, Landfill, **held by:** John N Bowen

At: Cyfronnydd, Welshpool, Powys, SY21 9EY.

Type of assessment: Other,

Reason: Routine.

On: 02/12/2025 between 13:00 and 13:30.

Parts of permit assessed: See below.

NRW Lead Officer: Sarah Walton.

Report sent to: John Nigel Bowen, Permit operator, on 02/01/2026.

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

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition |
|---|-------------------|------------------|
| W3E - Waste - Emissions and monitoring - Monitoring | C3 Minor | C4 |
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Result types are explained in more detail in the 'Important Information' section below.

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 2 | 8 |

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 |
|----------|---|-------------|
| W3E | Submit a topographic survey as required by section 4.1.3 of the site's closure plan. | 09/03/2026 |
| W3E | Ensure surface water monitoring is completed as stipulated by section 5.3 of the site's closure plan. Forward results of the monitoring to NRW. | 09/03/2026 |

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

An un-announced site visit took place on Tuesday 2nd December 2025. There has been a change to the Regulatory Officer for the site, therefore this inspection aimed to act as site familiarisation and a review of current permit obligations.

The permit operator was on site at the time of the inspection and explained that whilst the landfill was closed, some restoration was still required at the entrance of the site.

Permit condition C.4 states *"The site must be operated in accordance with an agreed closure and aftercare management plan – unless otherwise agreed in writing"*.

Monitoring of Restoration

Section 4.1.3 of the site's closure plan requires that a topographic survey is to be carried out on completion of the placement of restoration soils and at annual intervals throughout the post closure phase. The specifications for the topographic survey are detailed in 4.1.3.

It is noted on a previous inspection 22.11.2022 (CAR_NRW0040743), that an action was placed on the operator to submit a topographic survey and that no surveys had been submitted since the closure plan was issued.

After reviewing NRW records, it appears no surveys have yet been submitted.

Therefore, a further CCS C3 score has been applied against permit condition C4.

ACTION: Submit a topographic survey as specified in section 4.1.3 of Nant Fforch Landfill Closure & Aftercare Plan.

You must have restored your site in accordance with your closure plan and or permit requirements before making an application to surrender your permit.

Surface Water Monitoring & Reporting

Section 5.3.4 of the site's closure plan states that surface water monitoring is required throughout the closure phase. The monitoring locations are the drainage ditch upstream of site and downstream from the culvert below the tipping area and another downstream sampling point emanating from the toe of the tipping face.

Table 5.2 within the closure plan, stipulates the parameters that should be tested twice annually.

Section 5.3.6 requires that the results of the surface water sampling are submitted to the regulator, within 6 weeks of each monitoring event.

No surface water monitoring data has been submitted by the operator. Therefore, a further CCS C3 score has been applied against permit condition C4.

ACTION: Submit surface water monitoring data as required by section 5.3 of the site's Closure & Aftercare Plan.

Thank you for your time during the site visit.

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.