

Compliance Assessment Report CAR_NRW0051555

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: Audit,

Reason: Routine.

On: 20/04/2026.

Parts of permit assessed: Material Facility Sampling Returns.

NRW Lead Officer: Mark ogorman.

Report sent to: Colette Evans, Technically Competent Manager , on 20/04/2026.

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	C4 No impact	EPR 2016 Schedule 9, Part 2, Chapter 2 (7) Reports to the regulator
W4B - Waste - Information - Reporting	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
1	0.1

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	Provide all missing Materials Facility sampling returns detailed within this report by 1/6/2026	01/06/2026
W4B	Please provide to NRW a copy of the site sampling methodology by 1/6/2026	01/06/2026

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

This assessment has been carried out remotely and the site has been assessed against its obligations as a Materials Facility under The Environmental Permitting (England and Wales) Regulations 2016 as amended by The Environmental Permitting (England and Wales) (Amendment) Regulations 2023, paragraphs 7 (1) and 7 (2) of Schedule 9. The regulations require Material Facilities to provide a report to the regulator in the form specified by the regulator, within 1 month of the expiry of each 3 month period.

Materials Facility Sampling Returns

According to our records, we have not received Material Facility sampling returns for the following periods:

Quarter 4 (October – December) 2024

Quarter 1 (January – March) 20225

Quarter 2 (April – June) 2025

Quarter 3 (July – September) 2025

Quarter 4 (October - December) 2025

As a result of this non-compliance you have been scored (C4)

ACTION: You are required to submit the outstanding Material Facility sampling returns listed above and put in place procedures to ensure that all future returns are completed and submitted in time. Failure to meet future return deadlines may result in escalation of our scoring category for such a breach and may also result in further action. The required timescales for submissions are below: Quarterly Returns Period Return Submission Deadline

The required timescales for submissions are below:

Quarterly Returns Period	Return Submission Deadline
Q1 - 1st January to 31st March	30th April

Q2 - 1st April to 30th June	31st July
Q3 - 1st July to 30th September	31st October
Q4 - 1st October to 31st December	31st January

Please submit missing Material Facility sampling returns to the following email address:

waste.returns@naturalresourceswales.gov.uk

If you have not received any waste material or removed any specified output material at all during a quarterly reporting period, **you must still complete the declaration on the Facility Information tab in a Material Facility sampling return and submit this to us. Where applicable, “Yes” is required to be selected in the “Nil Return” drop down box to declare that no waste material was received, no specified output material was removed and subsequently no sampling was undertaken during the period.**

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Sampling Methodology

Under The Environmental Permitting (England and Wales) Regulations 2016 as amended by The Environmental Permitting (England and Wales) (Amendment) Regulations 2023, paragraphs 6(1)(b) and 6(h) require you to record and retain a written sampling methodology.

ACTION: In line with Paragraph 6(2), please provide a copy of your sampling methodology to Natural Resources Wales (NRW) by 1st June 2026. Your sampling methodology may be in a written or electronic format. At this stage no score has been applied for the sampling methodology having not been provided. Failure to meet the deadline provided may result in a score being applied and may also result in further action.

Guidance and advice on sampling methodologies can be found here:

<https://www.gov.uk/government/publications/materials-facilities-waste-sampling-and-reporting/develop-a-suitable-sampling-methodology-for-your-materials-facility>

Kind Regards

Mark O’Gorman

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Mark O’GORMAN, Waste Regulation Officer, mark.ogorman@naturalresourceswales.gov.uk, 03000654279.

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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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- W3A(2) – Emissions to air
- W3A(3) – Emissions to 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.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** 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.