

Compliance Assessment Report CAR_NRW0052512

Permit being assessed: HB3390HX.

For: Lower Cwmtwrch HWRC, **held by:** Bryson Recycling Limited

At: Lower Cwmtwrch HWRC, Bethel Road, Lower Cwmtwrch, Powys, SA9 2HW.

Type of assessment: Site Inspection,

Reason: Routine.

On: 09/07/2026 between 12:57 and 14:50.

Parts of permit assessed: See criteria below.

NRW Lead Officer: Alder Tye, accompanied by Luke Taylor.

Report sent to: John Franks, Technically Competent Manager, on 28/07/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C3 Minor	1.1.1
W3B - Waste - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.1.1
W4B - Waste - Information - Reporting	C4 No impact	4.2.2
W3G - Waste - Emissions and monitoring - Fire	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
3	8.1

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
W1A	Empty the chem store to comply with the requirements in the EMS and FPMP. Provide evidence of this to NRW.	28/08/2026
W3B	Ensure that the site boundary is cleared of any litter with	28/08/2026

Criteria	Action needed	Complete by
	immediate effect. Submit photographic evidence to NRW.	
W4B	Re-submit Q1 waste returns for 2026/2027 and ensure waste returns are completed correctly.	28/08/2026
W3G	Review and update the FPMP to ensure it reflects and complies with the current NRW Fire Prevention and Mitigation Plan guidance and submit the updated FPMP to NRW for review.	25/09/2026

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.

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 inspection of Lower Cwmtwrch Household Waste Recycling Centre. The inspection was conducted by Alder Tye (Waste Regulation Officer) accompanied by Luke Taylor (Senior Waste Regulation Officer) of Natural Resources Wales.

The weather at the time of the inspection was dry and bright with no wind, and the site was operational. The officers were met on the site by John Franks, Technically Competent Manager, Operations Manager for Powys, and Contract Manager who accompanied them throughout the inspection.

At the start of the inspection, the operator advised that the site was operating with reduced staffing levels. The operator had undertaken due diligence by contacting an employment agency in an attempt to secure additional staff- however these efforts had been unsuccessful. Consequently, the available staff were primarily engaged in assisting customers, including providing guidance on the correct segregation of black bag waste.

During the inspection, officers observed small accumulations of sweepings and isolated areas of loose material on the hardstanding. In addition, there were several instances of waste being deposited into incorrect containers. These incidents were identified and immediately rectified by the on-site team. Officers considered that these occurrences were due to the increased demands placed on the reduced number of site staff at the time of the inspection.

W1A - General Management - Permit Condition 1.1.1 - Category 3

Your permit states that you shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution.

You have been scored a category 3 breach as hazardous waste in the chem safe store has not been managed in accordance with your Environmental Management System (EMS).

Section 3.7.5 of your EMS, specifically Table 4 'Waste Storage Table', includes details for Area 3 - the location of the red chem safe container. This table specifies that the maximum storage duration for waste storage in the chem safe is less than 4 weeks. This storage time frame of less than 4 weeks is also specified in your Fire Prevention Management Plan (FPMP), specifically section 4.5.1 Table 5 'Waste Storage Table', section 4.7.1 Table 6 'Waste storage/monitoring table (containers)', and Drawing No.3408-YSTR-03.

During the site inspection, officers examined the red chem safe storage container. Site staff informed officers that the container had not been emptied since its installation, which was estimated to be approximately 11 months ago. Extended storage of hazardous materials increases the risk of container degradation, leaks, incompatible mixing, and potential pollution or fire incidents if not managed within appropriate timescales.

Action: Empty the chem store to comply with the requirements in the EMS and FPMP. Provide evidence of this to NRW by 28 August 2026

W3B - Emissions of substances not controlled by emission limits - Permit Condition 3.1.1 - Category 3

Condition 3.1.1 of the permit states that emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution.

During the inspection, loose waste/material was observed beyond the site boundary fence to the rear of Areas 3 and 4. The presence of site-derived material outside the permitted boundary demonstrates that material had escaped from the site and resulted in pollution beyond the site boundary. This non-compliance has been assessed as a Category 3 breach.

Action: Ensure that the site boundary is cleared of any litter with immediate effect and submit photographic evidence to NRW by 28 August 2026

W4B - Reporting - Permit Condition 4.2.2 - Category 4

Your permit states that the operator shall submit to Natural Resources Wales information relating to the site and the waste accepted and removed from it during the previous quarter.

You have been scored a Category 4 breach of the above permit condition because your quarterly returns for Q1 2026/2027 did not accurately report waste received and removed.

Incoming rubble waste was incorrectly classified as EWC code 17 09 04 in Q1. EWC code 17 09 04 is not listed in Table 2.2 of your permit and is therefore not permitted to be accepted at this site. The correct classification for this waste is EWC code 17 01 07

(mixtures of concrete, bricks, tiles, and ceramics other than those mentioned in 17 01 06).

Failure to accurately report waste streams may result in minor environmental pollution, as it prevents you from demonstrating compliance with your permit conditions, which are designed to protect the environment.

It was observed during the inspection that there was some evidence of soil contamination in the rubble skip. Please monitor contamination of this waste stream. If it is observed to be significant, a separate skip for EWC code 20 02 02 (soil and stones) may be required.

Action: Re-submit Q1 waste returns for 2026/2027 and ensure waste returns are completed correctly by 28 August 2026

W3G - Fire - Permit Condition 3.4.1 - Action Only

Your permit states that the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

The submitted Fire Prevention and Mitigation Plan (FPMP) dated 5 September 2026, states that it was prepared in accordance with Natural Resources Wales Waste Management Guidance Note 16 (July 2017). This guidance is no longer current. The latest NRW fire prevention guidance is available via the NRW website under "Fire Prevention and Mitigation Plans".

Action: Review and update the Fire Prevention and Mitigation Plan to ensure it reflects and complies with the current NRW Fire Prevention and Mitigation Plan guidance and submit the updated FPMP to NRW for review by 25 September 2026.

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

alder.tye@cyfoethnaturiolcymru.gov.uk

Kind regards,

Alder Tye

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 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.