

Compliance Assessment Report CAR_NRW0037695

Permit being assessed: LP3395FJ.

For: The Graig Yffaldau Waste Transfer, held by Powys Environmental Ltd

At: The Graig Yffaldau Waste Transfer Station, Llandegley, Llandrindod Wells, Powys, LD1 5UD.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 10/02/2021 between 11:05 and 11:40.

Parts of permit assessed: Permitted Activities

NRW Lead Officer: Liz Park, accompanied by Robert Harding.

Report sent to: Tim Richards, TCM, Manager on 10/03/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	2.1.1

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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
A1	Remove all non-hazardous waste from outside the building to either inside the building or to within a sealed container kept on an impermeable surface	01/06/2021

Action 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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Liz Park and Rob Harding arrived on site to undertake a compliance visit to check for compliance with the

Regulation 36 Notice dated 29 September 2020 which had a date of compliance being 26 January 2021. At the time of the visit the weather was very cold and dry.

Liz and Rob met with Tim Richards and walked over the site.

The latest version of the Fire Prevention and Mitigation Plan was available in the Fire Box at the entrance to the site.

Mattresses and Plastic were stored in skips on the lower yard on unmade ground.

A small proportion of the waste destined for landfill that had been stored on the lower ramp entrance to the main transfer building had been removed.

On the outside impermeable pad, some of the soil and stone/ mixed waste remained on site. However, the amount had significantly reduced. At the time of the visit the picking line/ trommel was not in use.

All the site was now accessible to the Mid and West Wales Fire and Rescue Service.



Mixed waste on impermeable pad with clear access

Tim Richards has installed a 25,000 litre water tank for the purpose of providing a water supply as required by the Fire Prevention Guidance. There was full access to the tank. Tim had received confirmation from the Mid and West Wales Fire and Rescue Service that the tank was suitable for use.



Water supply

There was some wood stored in the bay where the biomass boiler is. Tim said that this was due for collection.

The main reception bay had space to accept incoming waste.

The majority of the waste destined for landfill had been cleared from the third bay, which was now being used to undertake maintenance on a Artic trailer.

The section of the building where the gypsum/ plasterboard is being stored has lost some sheeting over the winter. Tim is looking at getting this repaired. This will present water ingress on the gypsum/ plasterboard.

The IBCs containing paints/ oily waste had been removed. Liz was provided with a copy of the Waste Transfer Note. The waste was taken to a paint recycling specialist.

Whilst the steps in the Regulation 36 Notice have not been fully complied with, it is acknowledged that there has been further improvements since 20 August 2020 and considerable improvements across the site since the 4 June 2019.

Natural Resources Wales will now consider their enforcement response with respect to the Regulation 37 Suspension Notices, the Regulation 36 Enforcement Notices and the Permit Condition non-compliances.

A1 – Permitted activities – Permit Condition 2.1.1 – CCS Cat 3

Some contaminated soil and stone waste still awaiting treatment remains in situ. Tim Richards thought that the processing of this waste stream could be completed within 4-6 months. However, it is noted that this timescale has been previously given in 2020.

ACTION: Therefore, given that this waste stream has been on site since before 4 June 2019, the processing and removal from site of this waste must be completed by 1 June 2021.

ACTION: All waste destined for landfill that has been stored on site for over 12 months, which is now within the transfer building, must be removed by 1 June 2021.

C2 – Management Systems and operating techniques – Permit Conditions 3.8.1 – Assessed/ Assessed in part

A suitable water supply has been provided by the installation of a 25,00 litres storage tank.

Liz Park was provided with a copy of the Fire Prevention and Mitigation Plan Version 10. This will be reviewed separately.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.