

Compliance Assessment Report CAR_NRW0038482

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: Other.

On 23/06/2021 between 12:35 and 13:00.

Parts of permit assessed: Permitted Activities, General Management, Fire

NRW Lead Officer: Liz Park, accompanied by Julia Lloyd.

Report sent to: Tim Richards, Operator on 07/07/2021.

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	Ensure that the WEEE skip, paper and cardboard skips, plastic and mattresses are stored in accordance with permit condition 2.1.1.	22/07/2021

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.

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

Liz Park and Julia Lloyd arrived on site to undertake a compliance visit to check that the Actions

recorded on CAR_NRW0037695 as detailed below had been completed.

Remove all non-hazardous waste from outside the building to either inside the building or to within a sealed container kept of impermeable surface.

and

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

At the time of the visit the weather was warm and dry.

Liz and Julia met with Tim Richards and walked over the site. The walkover started on the lower yard. Upon arrival it was clear that significant work had been undertaken to improve the site.

Tim had commenced work to repair the transfer building. The bulge at the back of the building had been repaired. Further work was planned for the roof and sides. All the waste destined for landfill that had been stored on the access ramp had been removed. The access ramp was now being used to enable artic trailers to be filled with waste inside the transfer building. This has the additional advantage that this waste should be the waste that has been on site the longest.



Ramp cleared of waste

All the soil and stone waste contaminated with other wastes that was stored on the outside impermeable surface has been processed. The only wastes now stored in this area is plastic silage wrap and metal waste inside a skip.



Outside impermeable surface cleared of soil and stone contaminated waste

The picking line and tromel was not in operation at the time of the visit and was clear of waste.

A skip containing waste electronic and electrical equipment (WEEE) was stored on unmade ground. This skip needs to be removed from its current location. Liz informed Tim that WEEE could be stored in a sealed container on the outside impermeable surface. Tim agreed to move the skip.

There was some mixed waste wood stored in the bay next to the biomass boiler. The wood for the biomass boiler was separate. The biomass boiler was not operating.

The main reception bay had sufficient room for the acceptance of waste. The third bay had been cleared of the waste destined for landfill. A small amount of Gypsum/plasterboard is stored at the back of the bay. The rest of the area is now being used as a maintenance bay. Tim has employed a mechanic to ensure that any breakdowns are quickly and efficiently dealt with so that there is not an accumulation of waste on site.

Liz observed that there was an Oxyacetylene and an Oxygen gas cylinder next to the workshop within the bay. If not already mentioned, these must be included on the Fire Prevention and Mitigation Plan (FPMP). Tim informed Liz that he had updated the FPMP following the improvements to the site, but he will check, update if necessary, and forward a copy of the FPMP. This will be assessed when received.

Paper and cardboard skips are situated on unmade ground opposite the entrance to the waste reception bay. If these are secure containers, the waste can be stored outside on the impermeable surface.

It was therefore pleasing to see that the actions identified as above had been completed and shows the effort Tim Richards has put into bringing the site back into compliance. Tim is aware of the importance of keeping the site compliant going forward.

Liz Park briefly discussed the proposed NRW initiated variation to insert the permit boundary plan into the permit with Tim. This is currently on hold due to resources.

A1 – Permitted activities – Permit Condition 2.1.1 – Advice and guidance

Ensure that the WEEE skip, paper and cardboard skips, plastic and mattresses are stored in accordance with permit condition 2.1.1.

Please note: The Enforcement Response on this CAR refers to the compliance with the permit conditions assessed at the site on the 23 June 2021 only.

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.