

Compliance Assessment Report CAR_NRW0042969

Permit being assessed: AB3196HG

For: Trehir Former Landfill Site, held by Caerphilly County Borough Council

At: Pandy Lane, Llanbradach, Caerphilly, CF83 3RP.

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

On 07/12/2023, between 10:20 and 11:30.

Parts of permit assessed: Permit compliance

NRW Lead Officer: Elis Nuttall.

Report sent to: Nicole Campbell, CCBC, on 05/01/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-A1 - Management - General management	C4 No impact	3.3.3 Monitoring
WQ-D2 - Information - Reporting	Action only (X)	
WQ-D2 - Information - Reporting	Action only (X)	
WQ-D2 - Information - Reporting	Action only (X)	

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-A1	Investigate the unpermitted encampment and ensure access is restored as soon as practicable. Ensure access to the monitoring point is maintained.	Already completed
WQ-D2	Provide sampling data from the discharge point for the 12 months prior to the visit on the 07/12/2023.	10/02/2024
WQ-D2	Provide flow monitoring data from the flow monitoring point for the 12 months prior to the visit on the 07/12/2023.	10/02/2024
WQ-D2	Submit the service report for flow monitoring infrastructure to NRW for review following its completion in January 2024.	15/02/2024

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

CAR Form Report NRW0042969 – Trehir Former Landfill Site, CCBC

Site Visit Report

I (NRW Environment Officer, Elis Nuttall) attended Trehir Former Landfill Site (permit reference number EPR- AB3196HG) at Pandy Lane, Llanbraddach, Caerphilly for a permit compliance visit at 10:20 on the 07/12/2023 where I met with Nicole Campbell (CCBC) and Carry Phenis (CCBC). The weather was mild with light rain on arrival, developing into heavy rain during the visit.

Site Observations

General Observations

The permit regulates a discharge of trade effluent consisting of groundwater and surface run-off contaminated with leachate from Trehir former landfill site, operated by Caerphilly County Borough Council. Tipping operations finished at Trehir in 2005 and the restoration and landscaping works were completed in 2010. The discharge shall only occur when the pass forward flow to the foul sewer network is in excess of 5l/s. Any flow under this setting shall pass forward to a sewage treatment works operated by Dŵr Cymru Cyfyngedig.

Site Infrastructure



Figure 1: Site visit photo – Access route to the sample/discharge point was clear at the time of the visit.

I arrived on site and held a brief discussion regarding site operations with CCBC officers. They noted that the last visit they recall was from NRW officer Luke Burton in 2019/"pre-covid."

I accompanied CCBC officers to the sample/discharge point to assess compliance. Access was gained via a small gap in the treeline at approximately ST1510389531. There was a clear path visible leading off into the direction of the sample/discharge point, as seen in Figure 1, and access was good.

However, several obstructions were encountered on route to the sampling/discharge point including a roped cordon with branches placed on them to create a barrier/screen as well as a tarpaulin tied between two trees along the access route. This is evidence in Figures 2 and 3, respectively.



Figure 2: Site visit photo – Ropes tied between trees acting as a barrier/screen.



Figure 3: Site visit photo – The tarpaulin tied between two trees to obstruct access/view.

When questioned, CCBC officers noted that this activity was not part of the site's operations and had no information on when and why these obstacles were installed. It was clear that they had been placed deliberately by persons unknown. I was informed that neither CCBC officer had been to this location to inspect the sample/discharge point before and were unaware of the last time it was checked. I informed them that access issues were noted by NRW's sampling team in August 2022 which were remedied by CCBC, but no further record of access to the site are known.

We continued to the sample/discharge point but, at approx. ST1508589653, a small, unpermitted encampment was observed which appeared to have been set up some time before the visit. This issue was dealt with separately as it does not fall within the general management/expected maintenance of the site. However it was assumed that this was the cause of the access issue. We then continued to the sample/discharge point.



Figure 4: Site visit photo – The consented sample/discharge point as observed during the visit

On arriving at the permitted sample/discharge point it was noted that access was slightly hindered by overgrown vegetation but not to the extent that observing or taking a sample would be significantly difficult/unfeasible. There was a clear view of the discharge point, as seen in Figure 4, with a small amount of discharge at the time of the visit, but not significant.



Figure 5: Site visit photo – The discharge observed at the time of the visit. As seen, it appears clear but no sample taken due to insufficient amount of discharge.

The discharge appeared to be clear as seen in Figure 5. There was not enough discharge to effectively take a water sample at the time of the visit, however I requested the previous 12 months sampling data from CCBC for the permit.

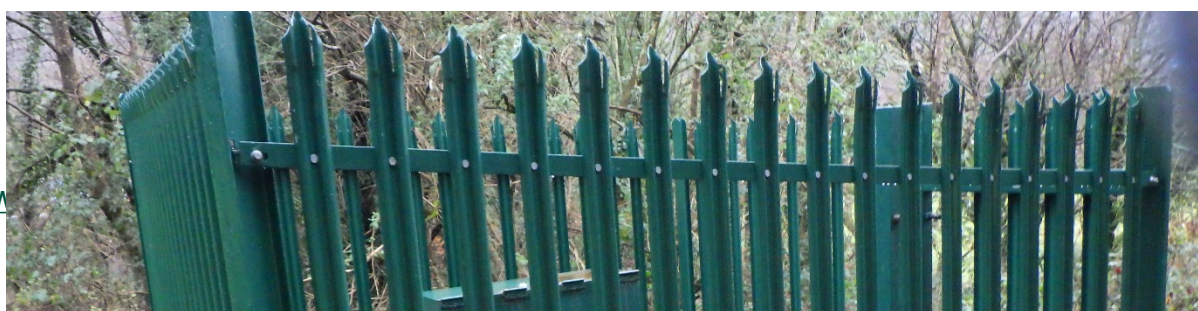


Figure 6: Site visit photos – The flow monitoring panel and the security infrastructure in place to protect it.

The flow monitoring point was checked during the visit. There were no issues with access and the monitoring point itself was well secured within a lockable box and security fencing, although no key was available to undertake further checks at the time of the visit. This is evidenced in Figure 6.



Figure 7: Site visit photos – Manhole covers containing the flow monitoring infrastructure. Access points are visibly clear of obstructions and debris.

It was noted by CCBC officers that the monitoring infrastructure itself was located within one of the manholes adjacent to the control panner compound. Although I did not lift these manholes during the visit (due to a lack of drain keys available) it was clear that the covers themselves were accessible with no significant debris build up meaning that access would be possible if needed. This is evidenced in Figure 7.

CCBC officers confirmed that the next annual servicing of the flow monitoring equipment is due to take place in January 2024.

A brief discussion on action points was held between myself and CCBC officers (of which the details are outlined below) before leaving site.

I left site at 11:30.

Breaches of permit condition:

Below are the permit breaches that were identified during the site inspection.

1. PERMIT CONDITION 3.3.3 – Restriction of access to monitoring point.

“An accessible monitoring point shall be provided and maintained to enable the emissions monitoring programme to be carried out at the monitoring point specified in table S3.4 of schedule 3 and shown marked on the site plans in schedule 7”.

Justification: The access to the monitoring point has been restricted by the establishment of an unpermitted encampment by persons unknown. This includes pathway restrictions and the danger that persons unknown may become hostile in the presence of officers.

Actions required

1. Investigate the unpermitted encampment and ensure access is restored as soon as practicable. Ensure access to the monitoring point is maintained.

Deadline: Completed (as of 20/12/2023).

2. Provide sampling data from the discharge point for the 12 months prior to the visit on the 07/12/2023.

Deadline: 10/02/2023

3. Provide flow monitoring data from the flow monitoring point for the 12 months prior to the visit on the 07/12/2023.

Deadline: 10/02/2023

4. Submit the service report for flow monitoring infrastructure to NRW for review

following its completion in January 2024.

Deadline: 15/02/2023

Other advisory comments

No advisory comments.

Contact details:

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: Elis Nuttall, Environment Officer, elis.nuttall@naturalresourceswales.gov.uk, 03000654651/07904606156.

Thank you,

Elis Nuttall.

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

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 to 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
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

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.