

Compliance Assessment Report CAR_NRW0043279

Permit being assessed: BU8819IV.

For: Pwllfawatkin Landfill Site EPR/BU8819IV, **held by:** FCC Waste Services (UK) Limited

At: Pwllfawatkin Landfill Site , Pontardawe, SWANSEA, West Glamorgan, SA8 4RX.

Type of assessment: Site Inspection,

Reason: Routine.

On: 16/01/2024 between 10:00 and 12:00.

Parts of permit assessed: See Section 4.

NRW Lead Officer: Benjamin Taylor, accompanied by Michael Launder.

Report sent to: Richard Thomas , Operations Manager, on 01/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	Assessed (A)	
IR2G - Operations - Landfill engineering (only applicable to landfill)	Assessed (A)	
IR2I - Operations - Leachate levels (only applicable to landfill)	Assessed (A)	
IR2K - Operations - Landfill gas management (only applicable to landfill)	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3C - Emissions and monitoring - Odour	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

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

Introduction

FCC Waste Services (UK) Ltd (the Operator) currently operates Pwllfawatkin Landfill, which is located within the Upper Clydach Valley. The installation, formerly used as the Abernant Colliery has been active since the 1970s consisting of 3 tipping areas (871, 890 and 891). The more recently active Tip 891 stopped receiving waste in 2023.

Attendees

- Richard Thomas – Operations Manager, FCC Waste Services.
- Graham Cherrill – Quantity Surveyor, FCC Waste Services.
- Benjamin Taylor – Senior Industry Regulation Officer, NRW
- Michael Launder – Lead Specialist – Industry and Waste Regulation, NRW

Scope

This was a pre-arranged familiarisation and introductory visit following the allocation of a new NRW regulatory officer.

Site Observations

During the site walkover, the most recently capped area was visited and briefly inspected. The south facing slope of the landfill and plateau have both been encapsulated with a permanent geomembrane liner. The installation of this permanent geomembrane has led to a reported reduction in leachate generation, with less third-party tanker operations required.



Image 1: Newly capped southern face of Pwllfawatkin Landfill

The next and final stage of the permanent capping of the landfill will be to lay the restoration soils onto the permanent geomembrane. This will commence with permitting weather conditions and is expected to take at least two years.

One of the leachate collection wells (PWLMW4NB) was inspected due to known defects. This well sits on a slope to the east of the plateau and requires remedial work as the well has become pinched at approximately 24mbgl, as a result the depth of leachate in the cell beneath cannot be ascertained. A CQA plan and specification for redrilling was approved by NRW on 16th of October 2023. Due to the currently exposed liner, the well is not accessible for redrilling until a sufficient depth of restoration soil has been laid to allow access to a drilling rig, this will minimise risk of damaging the impermeable surface. The operator has confirmed their intention to prioritise this access when laying restoration soil.



Image 2: Leachate collection well PWL4NB locality.

An exposed section of restoration soil, where the new geomembrane liner has been tied into the previously capped sections provides a good representation of the thickness of the soil laid onto the liner (as shown below).



Image 3: In-situ exposed restoration soil layer.

The eastern flank, which was capped over two years ago, has started to experience regrowth of flora and the run of the permanent French drainage channel associated with surface water system was visible. NRW was informed that this method of drainage was unique to the installation, and due to its efficiency is being proposed for additional landfill installations. On the recently capped areas without restoration soils, temporary rain flaps to collect and channel surface water towards the settlement lagoons were in place.



Image 4: French drainage channels installed in restored sections of the landfill.

The gas collection wells on the most recently capped area have been restored and reconnected to the site gas collection and utilisation system, which is maintained by Infinis Energy. During the site walkover, there was a very faint odour of landfill gas while on the plateau, however this was not strong or persistent throughout the visit.



Image 5: Gas collection network.

The access road on the western flank is the only section of the landfill that remains uncapped. Upon the completion of laying restoration soils on the newly capped plateau and southern flank the access road will be removed, with a final cap placed over the waste mass beneath.



Image 6: Uncapped western flank access road.

The newly engineered final discharge point to controlled waters (Upper Clydach River) was inspected and seen to be flowing freely, this outlet is associated with the surface water network of the installation. There was no visual evidence of any polluting substances noted at the time of the inspection.



Image 7: Final discharge point to Upper Clydach River

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.

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 Industry compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – 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.

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 to 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.