

Compliance Assessment Report CAR_NRW0043542

Permit being assessed: WP3432SC.

For: Nant Y Garth Landfill Site, held by Treborth Leisure Limited

At: Vaynol Woodlands, Portdinorwic, Gwynedd, LL56 4QG.

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

On 20/02/2024 between 13:30 and 14:50.

Parts of permit assessed: See below

NRW Lead Officer: Sarah Walton, accompanied by Leon Williams.

Report sent to: Mathew Wills, Director/operator on 13/03/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor	Permit Condition 3.6.1 "The Operator shall, unless otherwise agreed in writing by the Agency, shall undertake the monitoring for the parameters specified in the following tables in Schedule 4 of this permit: b) Landfill gas specified in tables S4.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	Permit Condition 4.2.2 "Within 28 days of the end of the reporting period, the operator shall, unless otherwise agreed in writing by the agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit as follows: a) In respect of the parameters and emission points specified in Table S5.1 of schedule 5.
A1 - Specified by permit	Action only (X)	
B1 - Infrastructure - Engineering for	Action only (X)	

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
prevention and control of emissions		

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

Total number of non-compliances recorded	Total non-compliance score
2	4.1

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
G1	Investigate possible cause for the recurring methane breaches at GW04. Please report back with your findings.	12/04/2024
G4	Ensure year round access to sample point SW1. GW02 should be re-instated, to enable monitoring to resume in this location. Should the operator wish to remove these monitoring points from the permit, this should be discussed with the Regulating Officer to progress this permit change.	26/04/2024
A1	Submit topographical survey for 2023.	05/04/2024
B1	Conduct an assessment of slope stability and send a copy of this report to NRW.	26/04/2024

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

A site inspection took place on Tuesday 20th February 2024. Sarah Walton (Waste Regulation Officer) and Leon Williams (Senior Waste Regulation Officer), met on site with Mathew Wills (Director of Treborth Leisure Ltd). Rhys Cadwaladr (Minerals and Waste Planning Officer) from Gwynedd Council, also accompanied officers.

Mathew Wills had recently approached Natural Resources Wales to discuss the possibility of a surrender of the site permit and how site could move into the closure phase. It was explained that prior to submitting a closure plan to Natural Resources Wales, the site must be compliant with permit conditions.

Sarah Walton has recently taken over regulation of the site, so this inspection was intended to act as site familiarisation but also a chance to discuss the landfill gas and stability issues of the landfill.

Mathew guided officers to monitoring points across the site. This included GW04 where there have been historic issues with methane concentrations.

Permit Condition 3.6.1 "The Operator shall, unless otherwise agreed in writing by the Agency, shall undertake the monitoring for the parameters specified in the following tables in Schedule 4 of this permit:
b) Landfill gas specified in tables S4.2

A review of gas monitoring data for 2023 has taken place.

This review found that Trigger levels were breached for both Carbon Dioxide and Methane at G03 and GW04.

-GW04 recorded a maximum concentration of 8.9% Methane (%v/v) and a minimum of 4.10 Methane(%v/v).

-GW04 recorded a maximum concentration of 6.10% Carbon Dioxide.

-G03 recorded a maximum concentration of 4.3 Methane (%v/v).

These breaches have been consolidated into one CCS score of C3.

ACTION: Investigate possible cause for the recurring methane breaches at GW04. Please report back with your findings.

Permit Condition 4.2.2 "Within 28 days of the end of the reporting period, the operator shall, unless other wise agreed in writing by the agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit as follows:

a) In respect of the parameters and emission points specified in Table S5.1 of schedule 5.

The latest monitoring report has shown that no sampling has taken place at SW1 or GW02.

Monitoring point GW02 was damaged by landfilling activities and hasn't been accessible since 2018.

SW1 was inaccessible throughout 2023.

The site is not currently compliant with permit condition 3.6.1 due to lack of monitoring at SW1 and GW02.

As such, the permit has been scored a CCS score of C4 for this permit breach.

Mathew queried whether the monitoring points downstream would be satisfactory on their own, due to their location being downstream of the landfill, so that any impact would be seen on this monitoring data. If you wish to apply to change monitoring requirements of the permit, this would need to be discussed with the site's Regulating Officer to progress changes to the site permit.

ACTION: Ensure year round access to sample point SW1.

ACTION: GW02 should be re-instated, to enable monitoring to resume in this location. If the operator wishes to remove these monitoring points all together, this should be communicated to NRW's Regulating Officer to progress this change to the permit.

Permit Condition 3.6.3 *"A topographical survey of the site referenced to Ordnance Datum shall be carried out: a) annually".*

Mathew explained that the topographic survey was attempted but due to technical issues could not be performed. This is expected to be completed in the next few weeks.

ACTION: Please submit the topographical survey for 2023.

Permit Condition 2.3.1 *"The Activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in Schedule 1 Table S1.2, unless otherwise agreed by the agency".*

The landfill was very steep in parts and the east end of the site is inaccessible. Mathew explained he was considering options to help improve the stability.

Following the visit, NRW's landfill experts have been consulted, who have advised that slope stability assessment is carried out.

It is likely that some re-profiling is required on the current land form, to improve the gradient of the landfill.

The planning permission granted for the site in 2016, was to achieve a more stable landform and reduce the gradient in parts. However, we are informed that this planning permission has come to an end. Further planning permission may be required in order to reprofile the landfill. `

ACTION: Once a slope stability assessment has been carried out, submit this report to Natural Resources Wales.

Please be aware that it is likely a permit variation will be required, should the final levels not be in accordance with documentation listed in Table S1.2

Should you wish to discuss or query anything in this CAR form, please get in touch using the details below.

Kind Regards,

Sarah Walton

Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer

Gogledd-Orllewin / North West

Ffôn/ Phone: 03000 655 023

E-bost/Email: Sarah.I.walton@cyfoethnaturiolcymru.gov.uk

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.