

## Compliance Assessment Report CAR\_NRW0043973

**Permit being assessed:** PP3395FS.

For: Nant Y Gwyddon Landfill, held by Amgen Rhondda Ltd

At: Gelli, Pentre, R C T, CF41 7TL.

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

On 05/03/2024 between 09:00 and 17:00.

Parts of permit assessed: General Site inspection

**NRW Lead Officer:** Sally Wakeford, accompanied by Mostyn Wall.

**Report sent to:** Lee Foulkes, Site Manager on 08/04/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	

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

Total number of 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?

Criteria	Action needed	Complete by
G4	Provide Annual Report for 2023	30/04/2024

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 was undertaken on 05 March 2024 by NRW Officers Sally Wakeford, Mostyn Wall and Katie Lewis-Davies. We were accompanied on site by Lee Foulkes from Amgen. The weather was dry with a light breeze.

### Security:

The site was secured with gates, however suffers regularly from break-ins and metal theft. Lee recently informed NRW of a break in discovered during routine works. As a deterrent, the drain covers are in a process of being changed out for plastic. The fence observed during the inspection appeared intact.

### Landfill Gas:

The low calorific flare on site was not operational, with a new sensor being fitted on the Thursday following the inspection. The flare is checked and sampled twice per week. We were informed that Landfill Solutions Ltd operate and manage the gas field. The gas field is balanced quarterly. No engine is present at the site as there is not enough gas being produced. The wells inspected appeared in good condition with no major deformation to their structure (vertical direction) and no smell of gas was detected whilst on site.

Photograph of flare on site:



**ACTION:** Please confirm if the flare is operational again.

### Leachate:

Leachate level is currently at 0.75, below the 1m threshold within the permit. Leachate is

discharged via a Discharge Consent to DCWW sewer network.

Photograph of Leachate level indicator:



**Vegetation Growth:**

The vegetation growth on site was minimal in most places, however in some areas there are some larger trees which have begun to take. These should be removed as to protect the cap from damage due to the root systems.

Photograph of vegetation on Northern flank:



### **Annual Reports:**

Annual reports are required under permit condition 7.4.1. In the last few years these reports have not been provided.

**ACTION: Please provide the Annual Report for 2023.**

It is noted that the monitoring is still being undertaken and reported quarterly.

### **Working Plan:**

NRW are currently reviewing our files to ensure we hold the current and up to date working plans and other relevant documentation.

NRW currently hold:

- Closure Plan – AM5554/1/1 March 2007.

- Working Plan Section 1-6 (not 5) – June 2001
- Working Plan Section 5 – March 2008 – Monitoring revision.

Most of the working plan documents above are from the Operational Phase of the landfill. Although the site is in definitive closure, the permit and working plan held by NRW are for the operational phase. Ideally the working plan would be revised and a permit variation application be submitted to reflect the closed status of the site.

I am unable to find the Hydrogeological Risk Assessment within our filing systems.

**ACTION: Please could you provide a copy of the Hydrogeological Risk Assessment and confirm if the above documentation is the current documentation held by yourselves. Please provide any documentation which may differ.**

**Bi-annual Stability Assessment of inert bund:**

Section 2.12 of the working plan states a bi-annual site investigation and stability analysis will be conducted of the inert bund.

**ACTION: Please confirm the last bund stability assessment and provide the most recent report.**

**END**

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1<sup>st</sup> April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

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](mailto: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](mailto: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.