

Compliance Assessment Report CAR_NRW0044147

Permit being assessed: CP3735PB.

For: Nantycaws Landfill EPR/CP3735PB, **held by:** CWM Environmental Ltd

At: Nantycaws Landfill Site Llanddarog Road , Nantycaws, Carmarthen, Carmarthenshire, SA32 8BG.

Type of assessment: Site Inspection,

Reason: Routine.

On: 23/04/2024 between 10:00 and 12:30.

Parts of permit assessed: See Section 4..

NRW Lead Officer: Benjamin Taylor, accompanied by Daniel Packer, Sally Wakeford.

Report sent to: Darren Sanders, Composting and Landfill Site Manager, on 02/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Installations - Management - General Management	Assessed (A)	
IR2G - Installations - Operations - Landfill engineering (only applicable to landfill)	Assessed (A)	
IR3C - Installations - 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

CWM Environmental Ltd (the Operator) oversees the Nantycaws Phase 2 Landfill Complex, among other operations at their Llanddarog Road Site. The Landfill is currently 'mothballed' and has not accepted any waste since 2016, however it is yet to go into full closure and as a result Cells 2, 3, 6 and 7 are encapsulated with a 'temporarily' engineered capping membrane.

Attendees

- Darren Sanders – Compost Facility/Landfill Manager, CWM Environmental
- Benjamin Taylor – Senior Industry Regulation Officer, NRW
- Daniel Packer – Senior Industry Regulation Officer, NRW
- Sally Wakeford – Senior Waste Regulation (Closed Landfills) Officer, NRW

Scope

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

For efficiency, the visit was carried out in conjunction with visits to other components of the Site i.e. Composting Facility and Phase 1 Closed Landfill which are regulated by alternative NRW Officers.

Site Observations

The Site walkover began with the inspection of the leachate holding lagoon which is located in the northwestern corner of the landfill complex. The lagoon was covered with a poly-ethylene liner to minimise the production of leachate, which can be increased by the direct entry of rainwater. It was also noted that the lagoon was fully enclosed with fencing to reduce unauthorised access. The locality of NACW228 in relation to the lagoon was also inspected, this was following exceedances of maximum permitted levels for Cadmium within last three groundwater reporting periods.



Image 1: Nantycaws Landfill Leachate Holding Lagoon

At the request of NRW, a parcel of exposed polyethylene liner around the boundary between Cells 6 and Cells 7a was inspected. This was an area of focus following a grouping of failure points (referenced Zone 2D) within the temporary capping liner identified within their Surface Emissions Survey Report 2023 (Ref: 402.065014.00001). The area was accessed via utility road which runs between Cell 6 and Cells 2, no failure points or landfill gas odours were noted in the inspected areas of the landfill.



Image 2: Distant view of Cells 3 taken from crest of the landfill between Cell 6 and Cell 7a.

NRW Officers inspected the final settlement lagoons located in the southern aspect of the Site, which is situated adjacent to the Closed Phase 1 Landfill. These lagoons are fed via the surface water drainage system associated with the Phase 2 Landfill complex.



Image 3: Settlement lagoons associated with the Phase 2 surface water drainage system.

Furthermore, the outlet associated with the settlement lagoons was also inspected and noted as flowing freely.



Image 4: Final outlet associated with settlement lagoons.

Finally, the locality of monitoring point SW205a was inspected and noted as flowing freely with no visible signs of any contamination. Past monitoring events undertaken at this location has returned exceedances of the maximum permitted level of Ammoniacal Nitrogen. NRW was informed onsite by the Operator that the upper branch of the watercourse originates from a nearby poultry facility.



Image 5: SW205a monitoring point.

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.