

Compliance Assessment Report CAR_NRW0044178

Permit being assessed: EP3698FL.

For: Nantycaws H C I Transfer & Treatment Facility, **held by:** CWM Environmental Ltd

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

Type of assessment: Site Inspection,

Reason: Routine.

On: 24/04/2024 between 10:00 and 13:00.

Parts of permit assessed: Routine Site Visit.

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

Report sent to: Darren Sanders, Compost facility/Landfill manager, on 08/05/2024.

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	C3 Minor	permit condition 1.1.1
IR2C - Installations - Operations - Operating techniques	C3 Minor	permit condition 3.7.1

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

Total non-compliances recorded	Total non-compliance score
2	8

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
IR1A	ensure the stacked windrow is stored on a impermeable hardstanding area connected to a sealed drainage system as stipulated within the permit	01/07/2024
IR2C	split composting material into windrows, with height and width observed to be in line with GN16.	01/07/2024

Compliance 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

Attendees

Daniel Packer - Senior Officer Industry Regulations Team, NRW
Benjamin Taylor - Senior Officer Industry Regulations Team, NRW
Sally Wakeford - Senior Officer (Closed Landfill) Waste Regulation Team, NRW
Darren Sanders – Compost facility/Landfill manager, Cwm Environmental

The purpose of the visit was an introduction tour of the site and to introduce the new site lead for NRW - Daniel Packer.

Site Walkover

During a site visit on 24 April 2024, NRW officers observed composting piles exceeding the limits on stack height, width and separation distances outlined *Guidance Note 16 Fire Prevention and Mitigation Plan Guidance - Waste Management*.





The operator was immediately requested for the reduction of the height and width of the stacks, to match the *Fire Prevention and Mitigation Plan*, and *Composting SOP* limits also outlined in *GN16*.

Compliance – this has resulted in a breach of permit condition 3.7.1 as not adhering to *Fire Prevention and Mitigation Plan* submitted and approved previously under improvement condition 2 (IC2). This breach has been assigned a non-compliance category of C3 under compliance criteria IR2C Operating techniques.

Actions - the operator should split composting material into windrows, with height and width observed to be in line with *GN16*. The operator outlined a plan to reach the *GN16* compliant layout shown in figure 1 of the *Composting SOP* within a 2-month period.

During the site walkover it was also observed that the composting piles were stacked on a impermeable concrete pad, but also on soft permeable ground adjacent.



The composting piles were also stacked tight to the concrete pad boarder, resulting in run off and overspill to the soft permeable ground adjacent.



Compliance – this has resulted in a breach of permit condition 1.1.1 in respect of operations with waste store off impermeable concrete pad and has been assigned a non-compliance category of C3 under compliance criteria IR1A General management.

Actions - the operator should ensure the stacked windrow is stored on a impermeable hardstanding area connected to a sealed drainage system as stipulated within the permit, allowing sufficient space around each windrow to ensure the runoff does not run on to the soft permeable ground adjacent and is directed towards the sealed drainage system, whilst also allowing clear access outlined in the *Guidance Note 16 Fire Prevention and Mitigation Plan Guidance - Waste Management*.

The concrete pad and the hard standing on site is serviced by a sealed drainage system that leads into the effluent lagoon. From here the liquid effluent is deployed to land under a mobile plant permit.

Note – the operator confirmed at the time of inspection that the rows are above the required height of 3.5m and stored partially off the impermeable concrete pad due to the impermeable concrete pad had recently been extended and required the temporary storage of the waste to allow this work to be completed.

IVC

The site walkover also went to the IVC which is not in use and the area is used for storage of empty containers / skips etc. No non-compliances were recorded on the day of the inspection.



Food waste storage

Food waste is temporarily stored in the unit below before it is transferred to Severn Trents anaerobic digestion facilities. No non-compliances were recorded on the day of the inspection.



Civic Amenity Site

The Nantycaws Household and Commercial Waste Recycling Centre appeared well organised and tidy with the waste being separated into different waste types and stored in a mixture of containers / skips and segmented storage areas. No non-compliances were recorded on the day of the inspection.





Aggregates

Aggregates were stored in accordance with the site EMS. On inspection no issues were identified. Again, all wastes were stored within the marked boundary, under condition 2.2.1 of the permit.



Note that this CAR form has been undertaken in the context of the permit relevant to the waste treatment composting activity, and not the waste operations at the remainder of the site falling under a separate permit. These will be followed up separately.

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.