

Compliance Assessment Report CAR_NRW0045274

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: Report/Data Review,

Reason: Routine.

On: 19/06/2024.

Parts of permit assessed: Q2 2024 Monitoring Submission.

NRW Lead Officer: Benjamin Taylor.

Report sent to: Compost Facility/Landfill Manager , CWM Environmental Ltd, on 25/09/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR4B - Installations - Information - Reporting	Assessed (A)	
IR4C - Installations - Information - Notification	Action only (X)	

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?

Criteria	Action needed	Complete by
IR4C	Ensure Schedule 6 Notifications regarding breaches of emission limit values are submitted to NRW within the specified timeframes.	25/09/2024

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

Introduction

This Compliance Assessment Report (CAR) is an assessment of the monitoring results for Quarter 2 (Q2) April to June by CWM Environmental Ltd (the Operator).

Scope

The following monitoring returns and reports have been assessed within this Compliance Assessment Report (CAR):

- CP3735PB Nantycaws Landfill Q2 2024 Leachate.
- CP3735PB Nantycaws Landfill Q2 2024 Surface Water.
- CP3735PB Nantycaws Landfill Q2 2024 Groundwater.
- CP3735PB Nantycaws Landfill Q2 2024 Gas.

Q2 2024 Monitoring Returns

Monitoring data was submitted by the Operator on the 19th of June 2024 detailing measurements taken in relation to the following permit requirements:

- **Table S4.1** – *Leachate Level Limits and Monitoring*
- **Table S4.3** – *Point Source Emissions to Water (Other than Sewer)*
- **Table S4.5** – *Trigger Levels for Emissions into Groundwater*
- **Table S4.6** – *Landfill Gas in External Monitoring Boreholes*

This data was sent within the reporting period (28 days), which is **compliant** with permit condition

4.2.3.

The submitted data fulfilled all monitoring requirements outlined within permit condition 3.6.1a to 3.6.1d.

Leachate Level Limits and Monitoring

There were no reported exceedances of leachate permitted levels or 'compliance limits' (formerly trigger levels) during the Q2 reporting period.

Point Source Emissions to Water (Other than Sewer)

There were no reported exceedances of permitted levels noted during the Q2 reporting period.

Emissions into Groundwater

The Operator reported an exceedance of Cadmium (Cd) permitted limits on the 4th of April 2024, with an illustrated figure of 0.000112mg/l. This was subsequently re-tested by the Operator on the 15th of April 2024 and was found to be **compliant** with the permitted values.

A Schedule 6 Notification regarding the exceedance on the 4th of April 2024 should have been submitted to NRW within 24 hours, which is a requirement of permit condition 4.3.2.

Action: Ensure Schedule 6 Notifications regarding breaches of emission limit values are submitted to NRW within the specified timeframes.

Cadmium Trend Analysis

In response to an action placed upon the Operator within CAR_NRW0043066 and CAR_NRW0043223, a WSP report (referenced: *2024 09 06 Nantycaws Landfill Cadmium Trend Analysis*) on Cadmium Trend Analysis was submitted to NRW on the 9th of September 2024. This action was set by NRW due to a perceived increasing trend of Cd within NACW228 since Q3 2023, Cd was also noted in Q1 2024 within the adjacent NACW229 which doesn't have a emission limit value.

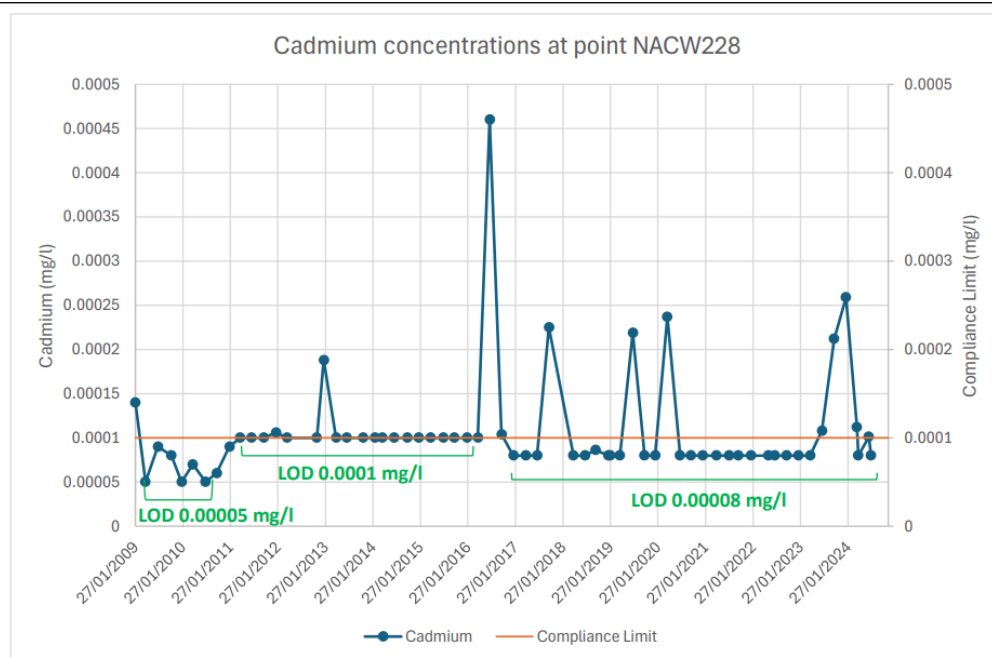


Figure 1: Figure 2 from 2024 09 06 Nantycaws Landfill Cadmium Trend Analysis. (Author: WSP)

Within the report, it is detailed that the Operator stated that no works have been performed at the site that may give rise to elevated Cd levels. Mann-Kendall (M-K) statistical analysis was utilised to identify trends in Cd concentrations at Nantycaws Landfill site for groundwater, surface water, and leachate monitoring locations.

Results from statistical analysis indicated there was a trend of increasing Cd concentration within NACW228 since January 2009, with a noted 13 exceedances over the compliance limit throughout this timescale. However, the report concludes *'Based on the long term dataset and the results of the trend analysis, it is considered that the recent, marginal breaches in Cd compliance at NACW228, are reflective of transient temporal groundwater conditions at the site, rather than being indicative of a long term deterioration in groundwater quality at this compliance point.'*

In addition, the report also included the following conclusions:

- Decreasing trend in Cd concentrations observed within Cell 3/4, Cell 5, Cell 6 and the Leachate Holding Lagoon.

Hydrogeological Risk Assessment (HRA)

The Operator submitted their updated HRA to NRW on the 9th of September 2024. This has been handed to the Geoscience Team within NRW for review, any comments made will be contained within an alternative CAR.

Landfill Gas in External Monitoring Boreholes

There were no reported exceedances of permitted levels noted during the Q2 reporting period.

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.