

Compliance Assessment Report CAR_NRW0045292

Permit being assessed: VB3193HJ.

For: Croes Cwmta Landfill Site, **held by:** Tom Prichard Contracting Ltd

At: Castell Upon Alun, St Brides Major, Bridgend, CF32 0TN.

Type of assessment: Site Inspection,

Reason: Routine.

On: 23/08/2024 between 14:00 and 14:20.

Parts of permit assessed: Monitoring requirements & general site visit.

NRW Lead Officer: Sally Wakeford.

Report sent to: George Harvey, TCM, 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
W1A - Waste - Management - General management	Assessed (A)	
W3E - Waste - Emissions and monitoring - Monitoring	C3 Minor	3.5.1
W4B - Waste - Information - Reporting	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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
W3E	Investigate restarting the monitoring at the site to aid surrender.	06/01/2025

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

A site inspection was conducted by NRW Officers Sally Wakeford and Katie Lewis-Davis on 23 August 2024. The inspection was unannounced and was undertaken as a familiarisation exercise for the officers. The Croes Cwtta Landfill site permit, EPR/VB3193HJ, is held by Tom Pritchard Contracting Limited.

On arrival at the site, the entrance gate was locked. A caravan was parked near the gate, and was unoccupied. A short walkover of the site was conducted, there was no evidence of ongoing waste disposal at the site.

Waste Returns

It is noted that the Operator has been submitting nil waste returns on a quarterly basis to NRW.

Monitoring requirements

You are required under permit condition 3.5.1 to undertake landfill gas, surface waste and groundwater/leachate monitoring at the site.

Gas monitoring: is required on a quarterly basis.

The requirements for monitoring of surface water and groundwater in the aftercare phase were amended in Compliance Assessment Report 011215/VB3193HJ sent to yourselves on 05 January 2015.

Surface water monitoring: both upstream and downstream is required 6 monthly, with some compounds annually.

Leachate monitoring: is required 6 monthly, with some compounds annually.

NRW have not received any monitoring from the Operator since the definitive closure of the site.

On 16 September 2024 NRW contacted the Technically Competent Manager George Harvey to request any monitoring data which may be been collected since definitive closure. Mr Harvey was unable to provide any data.

It is a permit requirement to undertake monitoring and report this to NRW, and the Operator should look at restarting this. Monitoring of the site will be required to surrender the permit.

This has been marked as category 3 breach of permit condition 3.5.1.

It is noted that the Operator no longer owns the land. The Operator should look at ways in which the monitoring could be restarted. As such the deadline for the action to look into restarting monitoring is 06 January 2025 which should allow for discussions with the land owner. If you have any issues surrounding this timeframe please contact Sally Wakeford to discuss.

As stated, monitoring will be required for surrender.

Surrender

Information on the process for surrender of the permit was requested. Further information on the requirements will be sent under separate cover to this compliance assessment report once all information on the previous history of the site has been reviewed.

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.

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 Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – 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.