

## Compliance Assessment Report CAR\_NRW0045295

**Permit being assessed:** PP3398FK.

**For:** Stormy Farm Landfill, **held by:** Bridgend County Borough Council

**At:** Bridgend, Glamorgan, CF33 6RD.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 23/08/2024 between 13:00 and 13:20.

**Parts of permit assessed:** general site visit.

**NRW Lead Officer:** Sally Wakeford.

**Report sent to:** Stephen Cottrell, Highways Direct Services Manager, on 26/09/2024.

### 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)      |                  |
| W2A - Waste - Operations - Permitted activities           | 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

On 23 August 2024, Natural Resources Wales officers Sally Wakeford and Katie Lewis-Davies attended at the location of the landfill, Stormy Farm EPR/PP3398FK. The weather was bright and clear.

The officers did not enter the land, but observed from a distance. This inspection was conducted as a familiarisation visit only, as officers were in the area.

The site is a former railway cutting, utilised by Bridgend County Borough Council (BCBC) during the mid-1990's for the disposal of inert wastes.

### Site inspection:

During the inspection it was noted that the area of the landfill was in use as pasture for cattle, there did not appear to be a fence line separating the area from other pastures. No waste activities were being undertaken on the site.

There was no visual evidence of vegetation die back, or slipping or cracking of the landfill area. The landfill was well integrated with the landscape.

### Surrender guidance:

On 22 November 2023, an email containing surrender advice was provided to Stephen Cottrell of BCBC. As a reminder of the requirements some of the details of the email have been copied below.

Online services to surrender a permit: [Natural Resources Wales / Apply to surrender \(give up\) all or part of a waste permit](#)

Addition guidance for landfill for the requirements of surrender: [how-to-surrender-your-environmental-permit-additional-guidance-for-landfill-and-other-permanent-deposits-of-waste-saesneg-yn-unig.pdf \(naturalresources.wales\)](#)

For sites where wastes were deposited to Pre-Landfill Directive standards you should review the information that you have on the waste deposited to determine whether the site is in a suitable condition for a surrender application to be made. You will need to:

- assess the waste deposited
- assess the sensitivity of the site and its surrounding location

To surrender the permit, you would be required to demonstrate that the site is not causing ongoing environmental harm with a period of monitoring. The current guidance is that you should conduct the following if the site falls into a category 2b of the guidance:

*“We recommend that you carry out monitoring to assess the impact from leachate quarterly, for a minimum of two consecutive years. To assess the impact from landfill gas the monitoring should be a minimum of monthly for 6 months.”*

There are further details within the guidance which will assist with the type of monitoring expected.

To start, the Operator should undertake the following:

- Produce a conceptual site model,
- Start a monitoring program to ascertain if the landfill is having an environmental impact.

There is no pressure from NRW to surrender the permit

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](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.