

Compliance Assessment Report CAR_NRW0045400

Permit being assessed: MP3498FG.

For: Pibwrlwyd Inert Landfill, **held by:** John Alan Davies

At: Pibwrlwyd, Carmarthen, Carmarthenshire, SA31 2NH.

Type of assessment: Report/Data Review,

Reason: Other.

On: 11/10/2024.

Parts of permit assessed: Final Report as permit has fallen.

NRW Lead Officer: Sally Wakeford.

Report sent to: Wendy Ashton, Daughter of Operator, on 11/10/2024.

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)	

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 26 September 2024 NRW were notified of the passing of the Operator Mr John Alun Davies.

As the Operator has passed away, the permit will fall. This report has been compiled as a final record of the risk the landfill poses on the surrounding environment.

Pibwrlwyd Closed Landfill EPR/MP3498FG (formerly EAWML 34080) was permitted in 1993 under the COPA provisions to accept inert waste. A limited working plan was available, but this has not been amended to include the closure and aftercare provisions of the site.

The site was licensed to accept inert (Category C) wastes: topsoil, subsoil, brickwork, stone, concrete, clay and sand. With a maximum tonnage of 60 tonnes/day. The site closed prior to the implementation of the Landfill Directive in 2001.

Aerial photographs of the site, show no waste activity is being undertaken, and vegetation is well established.



Compliance History

Site inspection records and photographs taken at the time indicate that on the whole, the site was reasonably well run, with a few non-compliant wastes being accepted, namely wood, plastics and green waste. On most occasions the Operator appears to have

removed any non-conforming wastes. The majority of the waste being soils, concrete and stone. There were instances noted on compliance reports that the site security was poor and the site was left unmanned and unlocked.

The landfill appears to be restored. According to our records, the original waste deposit has been overlain with a layer of soil of an unknown depth.

The area is grassed, and the vegetation appears to be well established.

In April 2024, NRW Officer Katie Lewis-Davies was passing the site and took some photographs as shown below:



The land currently appears to be used as grazing land, and has previously been found to have horses grazing on the site.

The landfill is small, at as estimated 13,000m² and a maximum of 6m deep. If this is the

case, the total volume would be approximately 78,000m³.

There have been no reported incidents for the landfill on NRW's Incident Reporting System.

Monitoring:

The permit does not require monitoring to be undertaken. There are no boreholes installed, and no monitoring by the operator has been undertaken.

In 2001 the Environment Agency undertook a water and gas survey of the facility. The 2001 survey found no evidence of leachate outbreaks from the waste or in the adjacent watercourse. However a gas survey, using ground spiking, did detect elevated levels of methane at three points across the site. Two of the results were low, but one contained a high reading of methane at 15%.

Surface water sampling both upstream and downstream of the culverted stream were analysed for dissolved oxygen, biological oxygen demand (BOD), chemical oxygen demand (COD), pH ammonia as N, chloride ions and suspended solids. The results indicated very little difference between the two samples, suggesting insignificant impact on the surface waters downstream of the site.

In 2012 the Environment Agency undertook a further survey of the site, this time using a handheld Gazomat Methane Analyser due to Health and Safety restrictions over ground spiking. A Surface Emissions survey was conducted, and found that no elevations were recorded above background concentrations (1.9ppm CH₄).

During the 2012 survey, the surface water ditch on the southern perimeter of the landfill site showed no signs of visual contamination indicative of landfill leachate. There were no signs of leachate weeping on the southern bank, and no evidence of any outbreaks.

Geoscience Technical Team Review:

A GIS check and report in 2005 states that the site is underlain by a mixture of superficial deposits (alluvium and glaciofluvial sand and gravel) which are classed as a Secondary A aquifer; overlaying a Secondary B aquifer of mudstones. The Secondary A aquifer is likely to be in hydraulic continuity with the surface waters.

The site sits within the flat bottom of a river valley, and groundwater is likely to flow towards the south, towards the culverted surface water drain and River Nant Pibwr. In all likelihood groundwater levels will be relatively high.

The original planning permission required that at least a 2m stand-off from the culverted surface water drain was maintained, however records show this appears not to have been adhered to.

The River Towy flows approximately 180m to the West. The culverted drainage channel along the southern boundary drains to the Nant Pibwr, the sampling completed during the 2001 survey indicated insignificant impact on the surface waters downstream of the site.

The nearest gas receptors are buildings associated with Coleg Sir Gar, Pibwrlwyd House

and Ty-coch Cottages approximately 85-90m to the North of the site boundary.

Conclusion

It is concluded from the information gathered on the site that the risk this landfill continues to pose to the environment is likely to be low.

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.