

## Compliance Assessment Report CAR\_NRW0045847

**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:** Other.

**On:** 11/12/2024 between 09:20 and 11:00.

**Parts of permit assessed:** Open windrow composting.

**NRW Lead Officer:** Daniel Packer.

**Report sent to:** Darren Sanders, Compost facility/Landfill manager, on 17/12/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2C - Installations - Operations - Operating techniques	C3 Minor	permit condition 3.7.1
IR1A - Installations - Management - General Management	C3 Minor	permit condition 1.1.1

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
IR2C	the operator should split composting material into windrows, with height and width observed to be in line with GN16. The operator to submit a plan and implement plan to reach the GN16 compliant layout shown in figure 1 of the Composting SOP within 2 months.	18/02/2025
IR1A	the operator should ensure the stacked windrow is stored on an impermeable hardstanding area connected to a sealed	18/02/2025

Criteria	Action needed	Complete by
	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.	

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 visit was undertaken by NRW and the Compost Facility/Landfill Manager for CWM Environmental Ltd at the Nantycaws site on 11.12.2024.

The purpose of the visit was a follow up inspection of the open windrow composting facility, to see if the required actions from previous site visit had been completed detailed in CAR\_NRW0044178.

During the site walk over it was observed that the composting piles are still exceeding the limits on stack height, width and separation distances outlined *Guidance Note 16 Fire Prevention and Mitigation Plan Guidance - Waste Management*.



Photo above showing green feedstock waste. New waste is added to the left-hand side. Estimated size of feedstock pile in exceedance of 40m length and 10m height.



Photo above showing green feedstock waste awaiting compositing and shredding. Older waste processed from right-hand side.

At the time of inspection, the operator was requested to reduce the height and width of the stacks, to match the *Fire Prevention and Mitigation Plan*, and *Composting SOP* limits also outlined in *GN16*. This was followed up in an e-mail dated 12 December 2024.

**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 to submit a plan and implement plan to reach the *GN16* compliant layout shown in figure 1 of the *Composting SOP* .

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



Photo above showing green feedstock waste stored off concrete pad on soft permeable ground.

The composting piles were also stacked tight to the concrete pad border, 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 an 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*.

Note – the operator confirmed at the time of inspection that the composting rows and green feedstock waste are above the required height of 3.5m and stored partially off the impermeable concrete pad.



Two photos above showing newly installed processing equipment to sort composting into different size grades.



Photo above showing bagging equipment for finished product.

The operator explained at the time of inspection, that they are currently outputting roughly 50,000 bags of finished product per year.

They currently offer two finished product, 10mm size graded bagged product and loose 25mm size graded product.



Photo above showing storage of finished product.

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.

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](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.