

Compliance Assessment Report CAR_NRW0046277

Permit being assessed: CP3494VU.

For: Baglan Bay Works, **held by:** Welsh Government

At: Baglan Bay, Port Talbot, N P T, SA12 7TZ.

Type of assessment: Site Inspection,

Reason: Routine.

On: 05/02/2025 between 10:00 and 13:00.

Parts of permit assessed: General Site Inspection.

NRW Lead Officer: Sally Wakeford, accompanied by Edward Davies.

Report sent to: Operator, Operator, on 14/02/2025.

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	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

A site inspection was undertaken at Baglan Closed Landfill on 05 January 2025 by NRW Closed Landfill Officer Sally Wakeford, and was accompanied on site by other officers from NRW including Waste Team Leader Edward Davies, representatives from Welsh Government (the site operator) and their consultants from ARUP and Spencer Quantum.

The weather was dry and clear.

The site inspection was undertaken to provide an update as to progress made on the ground investigation and monitoring borehole installation ongoing across the wider Baglan site and Landfill.

This Compliance Assessment Report focuses on compliance with the permit conditions for the Closed Landfill permit EPR/CP3494VU, transferred to Welsh Government on 15/10/2024. This was the first inspection since the change in Operator.

Presentation by Spencer Quantum and ARUP

A presentation was given by Spencer Quantum and ARUP introduced the ground investigation, the plan for maintenance and redrilling of boreholes following the borehole condition survey and interactive mapping of the management of the infrastructure improvements across the wider site. This gave NRW officers a broad understanding of what was happening across the site.

Ground Investigation and boreholes at the landfill

The Operator will shortly be undertaking a geophysical survey to better understand the extent of the tip. Some of the more dense vegetation had been removed from the site to enable this to happen. The assessment of the existing monitoring well condition across the site, including those by the landfill, is completed. Work is underway to replace the extensive network of boreholes for groundwater monitoring across the entire site, which will include the Western Margin of the site and in-waste landfill boreholes.

Groundwater monitoring across the site and landfill can then proceed.

Environment Management System

On transfer of the permit, the Operator was required to provide a summary of the Environment Management System (EMS). Whilst this is in place, I will remind you this is a summary only, and a full version of the EMS should be provided as soon as possible.

As the site ceased accepting waste for disposal prior to 16 July 2001 and the site has been put into definite closure, the operator's methods for managing the site during the aftercare phase must be included in the site's working plan or EMS. It should effectively include all those details required by a Closure and Aftercare Management Plan, as stated in your Summary EMS:

"The Closure and Aftercare Management Plan will contain details on how the Installation

will be managed, maintained, monitored, and restored whilst it is closed and in the Aftercare period. A comprehensive review and investigation (which is likely to include desk based and intrusive) of current / historical monitoring data and information, updating the Conceptual Site Model, reviewing / updating the Risk Assessments will be required over time to collect data to inform the Closure and Aftercare Management Plan.”

It is noted that the comprehensive investigation has begun, which will inform the EMS updates required.

ACTION: Provide a copy of the full Environmental Management System as soon as possible.

If you wish to apply to vary the permit to remove the conditions pertaining to waste acceptance, include the new management plans, and obtain a more modern permit, please discuss this with your regulatory officer.

Photographs from site inspection:

Landfill north west corner.





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.