

Compliance Assessment Report CAR_NRW0046412

Permit being assessed: CP3735PB.

For: Nantycaws Landfill EPR/CP3735PB, **held by:** CWM Environmental Ltd

At: Nantycaws Landfill Site Llanddarog Road , Nantycaws, Carmarthen, Carmarthenshire, SA32 8BG.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: Permit conditions 3.6.1, 4.2.1, 4.2.2.

NRW Lead Officer: Benjamin Taylor.

Report sent to: Composting Facility and Landfill Manager, CWM Environmental Ltd, on 21/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Installations - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Installations - Information - Reporting	C3 Minor	Permit condition 4.2.2b.

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
IR4B	Operator is to submit the Surface Emissions Survey Report as soon as possible. Furthermore, Operator should review the annual monitoring regime and ensure all information is submitted within the required timeframe, as is specified within your EPR permit.	31/03/2025

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Introduction

This Compliance Assessment Report (CAR) is an assessment of the annual submission for the Nantycaws Phase 2 Landfill Complex, which was provided by CWM Environmental (the Operator) covering the 2024 calendar year period.

Scope

The Operator provided the following reports and information which facilitated the generation of this Compliance Assessment Report (CAR):

- 2025 02 04 Nantycaws 2024 Annual Report
- Nantycaws Trace Gas 2024.
- CWM_02-2025_A.
- CWM_01-2025.
- CWM LF Vol Change Feb24 to Jan25.
- Email Submissions.

2024 Annual Submission

The Operator submitted the *2025 02 04 Nantycaws 2024 Annual Report* on the 4th of February 2025, this fulfilled the requirements outlined by permit condition 4.2.1a. NRW have not compliance assessed this report. However, we note the recommendations in Section 6.2 (shown below), which should be implemented and reported on.

- *'The detection limits for dichloromethane, MCPP, diethyl phthalate and 4-methylphenol should be investigated with the laboratory to confirm if there is any scope for reducing the detection limit of these determinants closer to the compliance limit for the Site.'*
- *Implementation of recommendations made in the updated HRA in 2024 regarding any modification of the Site Permit and EMMP in the context of the monitoring information obtained.'*

Furthermore, the Operator provided email submissions on the 14th of February 2025 which contained the following information:

EMS Objectives & Targets

The Operator provided the following objectives pertinent to permit condition 4.2.1b.

Project/Description	Aspect	Targets & Deadline(s)	Completed (YES/NO)
Renewable Energy	- Energy Efficiency - Renewable Energy	- Produce a feasibility study for renewable energy projects at Nantycaws. 1. Solar farm 2. Additional Wind Turbine 3. Sourcing alternative power supply to power the landfill pump requirements – mains electric or renewable energy provided by site. 4. Explore feasibility to utilize landfill gas onsite 5. Explore feasibility to construct a leachate treatment facility onsite - Target Date: December 2026	YES In progress Deferred to 2025 due to MRF build Deferred to 2025 due to MRF build In progress In progress

Table 1: Objectives and Targets table provided by the Operator

Energy Consumption

The Operator provided information that fulfilled requirements outlined by permit condition 4.2.1c.

Annual Production/Treatment

The Operator provided information that fulfilled requirements outlined by permit condition 4.2.1d.

Contamination/Decontamination

It is the understanding of NRW that there has been no contamination/decontamination events occurring at the Site in 2024.

Topographical Survey

The Operator provided information that fulfilled requirements outlined by permit condition 4.2.1f.

Volumetric Difference Survey, Settlement Survey and Remaining Capacity

The Operator provided information that fulfilled requirements outlined by permit conditions 4.2.1g, 4.2.1h and 4.2.1i.

Trace Gas Analysis

The Operator submitted the Trace Gas Analysis Report to NRW on the 14th of February 2025, this is in accordance with permit condition 3.6.1d which requires monitoring to be undertaken annually. NRW have not compliance assessed this report.

Flare Emissions

The Operator has outlined that the flare has been operational <10% of the time and as a result, emissions testing is not required as specified within the footnote of *Schedule 4: Table S4.2*.

Surface Emissions

The Operator has failed to submit the report regarding the Surface Emissions survey. This is required on an annual basis as specified within *Schedule 4: Table S4.7*. The Operator has informed NRW that this is the result of poor weather conditions in November/December 2024.

This is contrary to permit condition 4.2.2b, an extract of which is detailed below:

'Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by Natural Resources Wales, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

- a. *in respect of the parameters and emission points specified in Table S5.1 of Schedule 5;*

Compliance:

The Operator failed to provide information pertinent to landfill gas emissions from capped surfaces (*Schedule 4: Table S4.7*), as a result a non-compliance score of C3 has been attributed against criteria IR4B – Reporting.

Action:

Operator is to submit the Surface Emissions Survey Report as soon as possible. Furthermore, Operator should review the annual monitoring regime and ensure all information is submitted within the required timeframe, as is specified within your EPR permit.

Please note: This CAR report and assessment was undertaken on 21st of February 2025. However to ensure that the non-compliance score is attributed to the correct financial year (for billing) the date on CARS system has been altered to 31st of December 2024.

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 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.