

## Compliance Assessment Report CAR\_NRW0046671

**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:** 12/03/2025 between 09:25 and 11:00.

**Parts of permit assessed:** Composting facility .

**NRW Lead Officer:** Daniel Packer, accompanied by Michael Launder.

**Report sent to:** Darren Sanders, Compost Facility/Landfill Manager , on 28/03/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3I - Installations - Emissions and monitoring - Fire	C3 Minor	3.7.1
IR2C - Installations - Operations - Operating techniques	C3 Minor	2.3.1
IR1A - Installations - Management - General Management	Action only (X)	
IR1A - Installations - Management - General Management	C3 Minor	1.1.1

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
3	12

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
IR3I	The operator to submit [to NRW] a plan with timescales to bring the site/area back into compliance with the permit.	11/04/2025

Criteria	Action needed	Complete by
IR2C	The operator to submit [to NRW] a plan with timescales to bring the site/area back into compliance with the permit.	11/04/2025
IR1A	The operator is to review and inform Natural Resources Wales if the current SOP and Fire Prevention and Mitigation Plan is still relevant with incoming quantities of waste and site processing capacity.	25/04/2025
IR1A	The operator to submit [to NRW] a plan with timescales to bring the site/area back into compliance with the permit.	11/04/2025

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

A site visit was undertaken by NRW and the Compost Facility/Landfill Manager for CWM Environmental Ltd at the Nantycaws site on 12.03.2025.

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 and CAR\_NRW0045847.

During the site walk over it was observed that the green waste stockpiles are still exceeding the limits on stack height, width and separation distances outlined *Guidance Note 16 Fire Prevention and Mitigation Plan Guidance - Waste Management* and out of compliance with your *Standard Operating Procedure(SOP)*. The excessive green waste stockpile size is estimated to be approx. 50-60meters length, 40meters width and approx. 10meters height as estimated by the Compost Facility/Landfill Manager on site at the time of inspection. Additionally, It would appear that the green waste stockpile has grown in size since previous site visits referenced above.



Photo above showing scale of green stockpiled feedstock waste



Photos above showing green stockpiled feedstock waste awaiting composting and shredding.

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* outlined in *GN16*, and *Composting SOP* limits. This was followed up in an e-mail dated 12 March 2025.

It is the opinion of Natural Resources Wales, that the large volume of green waste being stored on site inadequately could impede fire-fighting efforts as the back of the stacked green waste at the north end of the pad cannot easily be reached.

The limited access will also mean that it is unlikely that material stored at the furthest rear point will get monitored and processed.

During the site walkover it was also observed that the green waste stockpile is stacked on both the impermeable concrete pad, but also on the soft permeable ground adjacent. This is a cause for concern as any runoff of the material being stored on the permeable ground will bypass the purpose made sealed drainage system out into the wider environment. This is also be impeding clear access outlined in the *Guidance Note 16 Fire Prevention and Mitigation Plan Guidance - Waste Management*.



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



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

**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 has been assigned a non-compliance category of C3 under compliance criteria IR3I Fire.

This is also a breach of permit condition 2.3.1 operating techniques and has been assigned a non-compliance category of C3 under compliance criteria IR2C Operating techniques.

This is also a breach of permit condition 1.1.1 as there is a failure in management to comply with the *Composting SOP* and *Fire Prevention and Mitigation Plan* which form part of the procedures under your Environmental Management System. These non-compliances have been assigned a non-compliance category of C3 under compliance criteria IR1A General management. The ongoing non-compliance suggests that the management system has broken down being identified as the root cause for the above non-compliances due to the longevity of the non-compliance, the scale of the non-compliance as well as the limited action taken by the operator to address the breaches.

**Actions** - The operator to submit [to NRW] a plan with timescales to bring the site/area back into compliance with the permit.

The excessive stockpile on site currently may mean that the current *SOP* and *Fire Prevention and Mitigation Plan* are outdated, do not reflect the true volume of material

being processed on site and should be revised to reflect the volumes of waste on site required to be processed, and any changes in the method of storage and processing.

**Actions** - the operator is to review and inform Natural Resources Wales if the current SOP and *Fire Prevention and Mitigation Plan* is still relevant with incoming quantities of waste and site processing capacity.



Photos above showing green feedstock waste being shredded and stored into composting windrows. Operator at the time of inspection stated that they are currently renting an additional shredder to process the increased volume of material.

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.

Note - Timescales relating to action required have been informed by discussion with the company Director.

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.