

Compliance Assessment Report CAR_NRW0049025

Permit being assessed: PP3338CQ.

For: Nant-y-caws Landfill Site (Phase 1 Effluent Treatment Plant), **held by:** Carmarthenshire County Council

At: Nant-y-caws Landfill Site (Phase 1 Effluent Treatment Plant) Llanddarog Road , CARMARTHEN, Dyfed, SA32 8BG.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 22/07/2025.

Parts of permit assessed: See Section 4.

NRW Lead Officer: Benjamin Taylor.

Report sent to: Waste Strategy & Policy Officer, Carmarthenshire County Council, on 04/08/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C3 Minor	Permit condition 3.1.2.
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C3 Minor	Permit condition 3.1.2.
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	Permit condition 3.5.1a.
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	Permit condition 3.5.1a.
IR4B - Installations - Information - Reporting	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
4	16

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
IR3A(1)	Carmarthenshire County Council is to submit a permit variation application to capture the proposed changes to the installation infrastructure and processes.	28/01/2026
IR3A(1)	As above. Additional non-compliance attributed in-line with NRW's scoring guidelines.	28/01/2026
IR3E	Carmarthenshire County Council is to ensure that future analysis for parameters i.e. Total Nitrogen is undertaken and reported as they are specified within Schedule 3(b): Table S3.1.	28/01/2026
IR3E	As above. Additional non-compliance attributed in-line with NRW's scoring guidelines.	28/01/2026
IR4B	Carmarthenshire County Council is to ensure that waste tonnage information is submitted within the specified timeframe and using the correct form as is required by permit condition 4.2.5.	31/10/2025

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 January – June 2025 Monitoring Submission in addition to Schedule 5: Notifications that have been submitted by Excal Ltd (the Operator). These documents have been submitted by the Operator on behalf of Carmarthenshire County Council who is responsible for the permit (*EPR/PP3338CQ*).

Scope

The following monitoring data has been assessed within this Compliance Assessment Report (CAR):

- PP3338CQ reporting form 2015a.
 - Water1 / 17/08/2022.
- Schedule 5 Notifications.
 - PP3338CQOct2024ToFeb2025.

- PP3339CQ March to June 25.

January – June 2025 Monitoring Submission

The monitoring data between January – June 2025 was submitted by the Operator on the 22nd of July 2025. The submitted data contained all informative requirements outlined within permit condition 4.2.3a and as a result is **compliant** with this permit condition.

The data was sent within the reporting period (28 days), which is **compliant** with permit condition 4.2.3.

Total Nitrogen

Monitoring Date	Monitoring Location	Parameter	Reported Value	Emission Limit Value (ELV)
17/03/2025	W1	Total Nitrogen	48.99mg/l	25mg/l

Table 1: Reported Total Nitrogen figure detailed within PP3338CQ reporting form 2015a.

The reported figure of 48.99mg/l exceeds the permitted Emission Limit Value (ELV) detailed within *Schedule 3(b): Table S3.1* and is contrary to permit condition 3.1.2.

Permit condition 3.1.2 below states:

'The limits given in schedule 3 shall not be exceeded.'

As outlined within previous CAR forms (i.e. CAR_NRW0046151), the Operator lacks a de-nitrification aspect of their effluent treatment system. Subsequently, Excal Ltd (and CCC) have proposed to incorporate a secondary treatment system in the form of a de-nitrifying reedbed into their process, which will 'polish' the leachate in order to achieve permit compliance.

It is the current understanding of NRW that the proposed de-nitrification reedbed will be approximately 250m³ in size, made up through the incorporation of both a newly constructed gravel reedbed (120m³) in addition to utilising a pre-existing reedbed (located West of the SAF2 system). As previously advised, these changes to the process will need to be captured within a permit variation.

Compliance:

Carmarthenshire County Council has failed to adhere to the permitted emission limits as outlined within *Schedule 3(b): Table S3.1*, NRW considers this to be a contravention of permit condition 3.1.2. Subsequently, a non-compliance score of C3 has been allocated against this compliance criteria (IR3A). In accordance with NRW's scoring guidelines, a non-compliance score has been allocated for each quarter of the six-monthly reporting period.

Action:

Carmarthenshire County Council is to submit a permit variation application to capture the proposed changes to the installation infrastructure and processes.

The Operator submitted two Schedule 5: Notifications for sixteen exceedances of the Total Nitrogen ELV, these have been reported as a combination of Nitrate, Nitrite and Ammoniacal Nitrogen. NRW has previously requested (within CAR_NRW004615 and verbally) that future analysis and reporting is undertaken as Total Nitrogen directly.

Monitoring Date	Monitoring Location	Parameter	Measured Value	Emission Limit Value (ELV)
03/01/2025	W1	Total Nitrogen	176mg/l (as NH ₄ , NH ₃ and NH ₂)	110mg/l (as NH ₄ , NH ₃ and NH ₂)
09/01/2025	W1	Total Nitrogen	168mg/l (as NH ₄ , NH ₃ and NH ₂)	
17/01/2025	W1	Total Nitrogen	171mg/l (as NH ₄ , NH ₃ and NH ₂)	
29/01/2025	W1	Total Nitrogen	170mg/l (as NH ₄ , NH ₃ and NH ₂)	
05/02/2025	W1	Total Nitrogen	175mg/l (as NH ₄ , NH ₃ and NH ₂)	
14/02/2025	W1	Total Nitrogen	162mg/l (as NH ₄ , NH ₃ and NH ₂)	
20/02/2025	W1	Total Nitrogen	169mg/l (as NH ₄ , NH ₃ and NH ₂)	
17/03/2025	W1	Total Nitrogen	215mg/l (as NH ₄ , NH ₃ and NH ₂)	
26/03/2025	W1	Total Nitrogen	183mg/l (as NH ₄ , NH ₃ and NH ₂)	
02/04/2025	W1	Total Nitrogen	168mg/l (as NH ₄ , NH ₃ and NH ₂)	
09/04/2025	W1	Total Nitrogen	149mg/l (as NH ₄ , NH ₃ and NH ₂)	
15/04/2025	W1	Total Nitrogen	187mg/l (as NH ₄ , NH ₃ and NH ₂)	
30/04/2025	W1	Total Nitrogen	127mg/l (as NH ₄ , NH ₃ and NH ₂)	
08/05/2025	W1	Total Nitrogen	140mg/l (as NH ₄ , NH ₃ and NH ₂)	
13/05/2025	W1	Total Nitrogen	140mg/l (as NH ₄ , NH ₃ and NH ₂)	

20/05/2025	W1	Total Nitrogen	133mg/l (as NH ₄ , NH ₃ and NH ₂)	
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Table 2: List of Schedule 5 Notifications for exceedances of Total Nitrogen ELV (reported as NH₄, NH₃ and NH₂) between January – June 2025.

There are specified monitoring standards and methods listed within *Schedule 3(b): Table S3.1*, for Total Nitrogen these are noted as standards EN 12260 or EN ISO 19905-1. NRW does not consider the mathematical conversion of NH₄, NH₃ and NH₂ into TN to be in-line with these standards and consequently is a contravention of permit condition 3.5.1a.

Permit condition 3.5.1a stipulates:

'The operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake the monitoring specified in the following tables in schedule 3 to this permit:

(a) point source emissions specified in table S3.1'

Compliance:

Carmarthenshire County Council has failed to undertake monitoring to the required standards listed within *Schedule 3(b): Table S3.1*. NRW considers this to be a contravention of permit condition 3.5.1a. Subsequently, a non-compliance score of C3 has been allocated against this compliance criteria (IR3A). In accordance with NRW's scoring guidelines, a non-compliance score has been allocated for each quarter of the six-monthly reporting period.

Action:

Carmarthenshire County Council is to ensure that future analysis for parameters i.e. Total Nitrogen is undertaken and reported as they are specified within *Schedule 3(b): Table S3.1*.

Waste Returns

It has come to the attention of NRW that the Operator is not submitting quarterly waste tonnage information as required by permit condition 4.2.5. This is required to feed into NRW's waste tracking mechanisms in addition to inclusion within National Waste Statistics (NWS).

Permit condition 4.2.5 stipulates:

'Within 1 month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.'

Schedule 4(b): Table S4.4 (page 17):

Waste Conditions 4.2.5	Subject to	Waste tonnage return form from the Natural Resources Wales website or other form as agreed in writing by Natural Resources Wales	N/A
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Action:

Carmarthenshire County Council is to ensure that waste tonnage information is submitted within the specified timeframe and using the correct form as is required by permit condition 4.2.5.

Further information regarding waste returns including gaining access to required pro-forma can be found at the link below.

[Natural Resources Wales / Submit your waste return](#)

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.