

## Compliance Assessment Report CAR\_NRW0050242

**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:** Routine.

**On:** 07/11/2025 between 09:30 and 12:00.

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

**NRW Lead Officer:** Daniel Packer, accompanied by Erin Smyth-Evans, Benjamin Taylor.

**Report sent to:** Paul Wakelin, Head of Operations, on 22/01/2026.

### 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
IR1A - Installations - Management - General Management	C3 Minor	1.1.1
IR3A(3) - Installations - Emissions and monitoring - Emissions to land	C3 Minor	3.1.1
IR1A - Installations - Management - General Management	C3 Minor	1.1.1
IR1A - Installations - Management - General Management	C3 Minor	2.3.1
IR3A(3) - Installations - Emissions and monitoring - Emissions to land	C3 Minor	3.2.1
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.2.1
IR2B - Installations - Operations - The site	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
7	28

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	Submit action plan with timescales showing how you are going to bring site back into compliance with FPMP	28/02/2026
IR1A	Submit action plan with timescales showing how you are going to bring the site back into compliance with the permit.	28/02/2026
IR3A(3)	Investigate leachate lagoon bund failure and repair compromised sections. Operator to confirm integrity of lagoon containment.	28/02/2026
IR1A	Pump down lagoon to safe operating level to prevent overtopping and reduce strain on containment. Providing evidence of pumping records, disposal documentation and before and after photos. Review procedures to account for seasonal variations in rainfall.	28/02/2026
IR1A	Investigate leachate lagoon bund failure and repair compromised sections. Operator to confirm integrity of lagoon containment.	28/02/2026
IR3A(3)	Operator to confirm site inspection / check requirements include the leachate lagoon level and condition.	28/02/2026
IR3B	Implement temporary measures to prevent off-site migration of pooled water (e.g., deploy spill booms/pads for sheen, sandbag bunds, temporary overland channels to designated drainage). Regrade or hard-surface soft ground adjacent to the pad if required to prevent ponding and ensure positive drainage to the designated system. Install perimeter bunding/kerbs where required. Evidence to submit: Photos of deployed controls; site sketch showing temporary and permanent containment.	28/02/2026
IR2B	Inspect and test the drainage from the concrete pad and hard standing to confirm capacity, fall, and function diverting runoff to the designated system; check for proper operation, clearing any blockages and repairing any defects founds. Evidence to submit: Inspection report, findings, maintenance records.	28/02/2026

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

### 1. Introduction

On 7th November 2025, Natural Resources Wales conducted a site inspection of the Nantycaws composting facility Environmental Permit EPR/EP3698FL operated by Cwm Environmental Ltd following the expiration of the Regulation 36 Notice, which required the operator to bring the site back into permitted compliance. The wider landfill site was also visited during the inspection. This area operates under a separate environmental permit and will not be detailed in this Compliance Assessment Report (CAR).

### 2. Requested Documentation

As discussed during the inspection and subsequent follow up email correspondence on 10/11/2025, 13/11/2025, 27/11/2025 and 18/12/2025, please provide the following documentation:

- As-built construction drawings for the compost facility, including:
  - Bunded areas
  - Drainage runs
  - Falls
- Written confirmation regarding green waste collections:
  - Expected timeframe for cessation of collections
  - Anticipated reduction in incoming green waste (quantifiable estimates preferred)
- Updated Fire Prevention Management Plan (FPMP) and Standard Operating Procedures (SOP) for the composting facility.

### 3. Observations and Findings

#### 3.1 Green Waste Stockpile and Processing

We acknowledge the significant progress made in reducing the green waste stockpile. However, full compliance with permit conditions regarding stockpile size and location has not yet been achieved. The site remains in breach of its permit and has not fulfilled the requirements of the Regulation 36 Notice, which expired on 31st October 2025. (Location shown on map below demarked by the purple arrow).

During the inspection, the following was observed:

- Active Windrows:
  - 3 windrows approx. 60m (L) × 9m (W) × 4m (H)
  - 1 windrow approx. 77m (L) × 12m (W) × 5m (H)
- Processed Windrows:
  - 2 windrows confirmed to have completed the 8-week composting process,

awaiting final screening into 10mm and 25mm batches.

- Old Green Waste Stockpile:
  - Being split into 6 sections with firebreaks installed.
  - Height reduced to approx. 5m at the front; rear remains approx. 10m high.



*Figure 1 Photo showing large old green waste stockpile being reduced in height.*



*Figure 2 Photo showing large old green waste stockpile being divided into rows.*



*Figure 3 Photo showing active windrows.*

At the time of inspection, the operator stated that the current outlet for finished compost product is not able to keep pace with the volume being produced on site. They are actively seeking new contracts for both 10mm and 25mm compost grades to increase throughput.

The operator confirmed that the site is still accepting approximately 10–15 articulated lorry loads of green waste per week, each carrying roughly 16–18 tonnes. This material is being processed as it arrives.

To support this level of throughput, the following equipment was observed in operation:

- 2 hired shredders
- 2 operator-owned shredders
- 2 operator-owned screeners

Additionally, the storage barn contained two large piles of graded finished product—one of 10mm and one of 25mm compost. The operator confirmed that there is still demand for bagged compost, which is unusual for this time of year, and therefore bagging operations are continuing.

The operator noted that incoming green waste volumes are currently higher than expected, but a reduction is anticipated in December following cessation of local authority collections.

At the time of inspection, the operator stated that they expect the green waste stockpile to

be back in compliance by spring 2026.

Additionally, it was observed that the larger active windrow appeared to protrude past the concrete hardstanding. This is a cause for concern, as it presents a potential pathway for pollution to bypass the purpose-made sealed drainage system, undermining the site's containment infrastructure.

The operator stated that a concrete bump and bunding had recently been installed to divert runoff back toward the drainage system. However, this feature appeared inadequate and not fit for purpose, as it did not provide sufficient containment or diversion to ensure effective pollution control. (Location shown on map below demarked by the black arrow).



*Figure 4 Photo showing concrete bump and bunding to base of longest windrow.*

During the inspection, the soft ground surrounding the concrete pad was found to be saturated, with visible signs of water pooling. Notably, the pooled water exhibited a visible sheen, further increasing concerns regarding potential contamination. This level of saturation indicates that surface water is not effectively reaching the designated drainage system as intended by the site design. This raises concerns about the potential for pollution to migrate beyond the permitted site boundary. Additionally, the waterlogged ground conditions could hinder access for emergency response, including firefighting equipment. The visit followed after a period of heavy rainfall, which may have contributed to the observed conditions.



*Figure 5 Photo showing saturate ground surrounding the concrete pad. Water had a visible sheen.*

### **3.2 Unknown Discharge**

A pipe was observed emerging from under the newly constructed access road, and appearing to come from the direction of the lagoon adjacent to the compost facility. (This is denoted on the map below shown by the red arrow). The pipe was discharging very dark brown/black water into an open stream that tracked alongside to the landfill that was clearly distinguishable from the clear surface water in the drainage stream. Our understanding is that this stream is not included within the site's contained drainage system and may discharge to the local water course.

Action Required:

- Confirm the source of the discharge.
- Clarify the purpose of the pipe and destination of flow.
- Take immediate action to stop and prevent further contaminated discharges.



Figure 6 Photo showing unknown liquid discharging into open stream.

#### 4. Compliance

Permit Breach: Ongoing breach due to non-compliant stockpile size and location as discussed above has resulted in a breach of permit condition 3.7.1 as not adhering to the existing approved *Fire Prevention and Mitigation Plan* submitted and approved previously under improvement condition 2 (IC2) and is a breach of permit condition 2.3.1 operating techniques. This is also a breach of permit condition 1.1.1 as there is a failure in management to comply with the existing approved *Composting SOP* and *Fire Prevention and Mitigation Plan* which form part of the procedures under your Environmental Management System.

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

This breach has been assigned a non-compliance category of C3 under compliance criteria IR2C Operating techniques.

This breach has been assigned a non-compliance category of C3 under compliance criteria IR1A General management.

A response to the failure to comply in full, with the requirements of the Regulation 36 Notice will be dealt with separately.

**Subsequent site visit to conduct water samples.****Observation**

NRW attended the site on 12/11/2025 to collect water samples following concerns as identified on 07/12/25. During the visit NRW observed a failure in the containment bunding of the leachate lagoon for the composting facility. Leachate could be seen tracking through the compromised containment system and discharging into the wider site out of the permitted boundary. It is believed to have then entered what appears to be a land drainage pipe which discharges into a stream on the landfill site (Permit number CP3735PB).

Note: Within close proximity to the discharge point is also an open surface water drainage run that flows directly into a local watercourse which creates a specific pollution concern.

The lagoon water level was also very high, increasing the likelihood of overtopping and placing additional strain on the containment system. These issues indicate that the operator's inspection and monitoring programme is not sufficiently robust.

Note : Following the inspection findings, the operator has provided evidence via email of increased leachate removal through tankering in order to reduce lagoon water levels. A photograph has also been supplied showing repairs undertaken to address the leachate lagoon bunding failure. The effectiveness of these measures has not yet been verified and will be assessed during a follow-up inspection.

Photographic evidence was taken of the discharge point and lagoon condition. Samples have been collected from the discharge pipe and the point failure at the compromised leachate lagoon containment system which will be analysed for pollutants associated with leachate. (Lagoon location shown on map below demarked by the orange arrow. Pipe location shown on map below demarked by the red arrow).

**Permit Conditions Breached**

- **Condition 1.1.1** – Activities must be managed to prevent pollution.

This breach has been assigned a non-compliance category of C3 under compliance criteria IR1A.

- **Condition 2.3.1** – Infrastructure must be maintained in good repair.

The operator must maintain all containment systems in good repair.

Failure: leachate lagoon containment system has failed.

This breach has been assigned a non-compliance category of C3 under compliance criteria IR1A.

- **Condition 3.1.1** – There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1, S3.2, S3.3 and S3.6.

Failure: Unauthorised discharge beyond the permitted site boundary. Liquid from the leachate lagoon containment failure was observed leaving the leachate lagoon into the

wider adjacent land outside of permitted boundary.

This breach has been assigned a non-compliance category of C3 under compliance criteria IR3A(3).

- **Condition 3.2.1** – A management system must include effective monitoring and inspection.
- The operator must implement and maintain a management system that includes effective monitoring and inspection.
- Failure: Failure to detect leachate lagoon containment failure and discharge beyond the permit boundary shows the inspection regime is not robust. Failure to identify high leachate levels in lagoon also shows the inspection regime is not robust.

This breach has been assigned a non-compliance category of C3 under compliance criteria IR3A(3).

Action: Pump down lagoon to safe operating level to prevent overtopping and reduce strain on containment. Providing evidence of pumping records, disposal documentation and before and after photos. Review procedures to account for seasonal variations in rainfall.

Action: Investigate leachate lagoon bund failure and repair compromised sections. Operator to confirm integrity of lagoon containment.



*Figure 7 Photo above showing dark brown/black liquid emerging from pipe adjacent to compost leachate lagoon.*



*Figure 8 Photo above showing pipe appears to run from direction of compost leachate lagoon showing in the background.*



*Figure 9 Photo above shows very high level of dark brown/black liquid in leachate lagoon.*



*Figure 10 photo above shows high leachate level and breach of containment with dark brown/black liquid pooling outside containment.*



*Figure 11 Photo above shows dark brown/black liquid flowing through leachate lagoon containment.*

**Additional Observation:**

Samples were also taken from the area to the north of the composting pad, located on the access road and adjacent land. The operator stated that this area forms part of a purpose-

built containment system for the composting facility. NRW has requested the operator to provide as-built drawings to confirm this.

During the visit, the land was found to be highly saturated, indicating a possible failure of the containment system. Pooling of dark brown/black liquid was observed, and this liquid appeared to be flowing beyond the permitted site boundary into an adjacent field. Samples were collected and have been submitted for laboratory analysis. (Location shown on map below demarked by the blue arrow).



*Figure 12 Photo above showing dark brown/black liquid on land adjacent to compost pad.*



*Figure 13 Photo above further showing dark brown/black liquid on land adjacent to compost pad, flowing to adjacent field.*

### **Permit Conditions Breached**

- **Condition 3.2.1 – Management System**

The operator must implement and maintain a management system that includes effective monitoring and inspection.

Failure: Failure to detect saturation and discharge beyond the boundary shows the inspection regime is not robust.

This breach has been assigned a non-compliance category of C3 under compliance criteria IR3B.

**Action:** Implement temporary measures to prevent off-site migration of pooled water (e.g., deploy spill booms/pads for sheen, sandbag bunds, temporary overland channels to designated drainage).

Regrade or hard-surface soft ground adjacent to the pad if required to prevent ponding and ensure positive drainage to the designated system. Install perimeter bunding/kerbs where required.

Evidence to submit: Photos of deployed controls; site sketch showing temporary and

permanent containment.

Drainage and infrastructure integrity check

**Action:** Inspect and test the drainage from the concrete pad and hard standing to confirm capacity, fall, and function diverting runoff to the designated system; check for proper operation, clearing any blockages and repairing any defects found. Evidence to submit: Inspection report, findings, maintenance records.

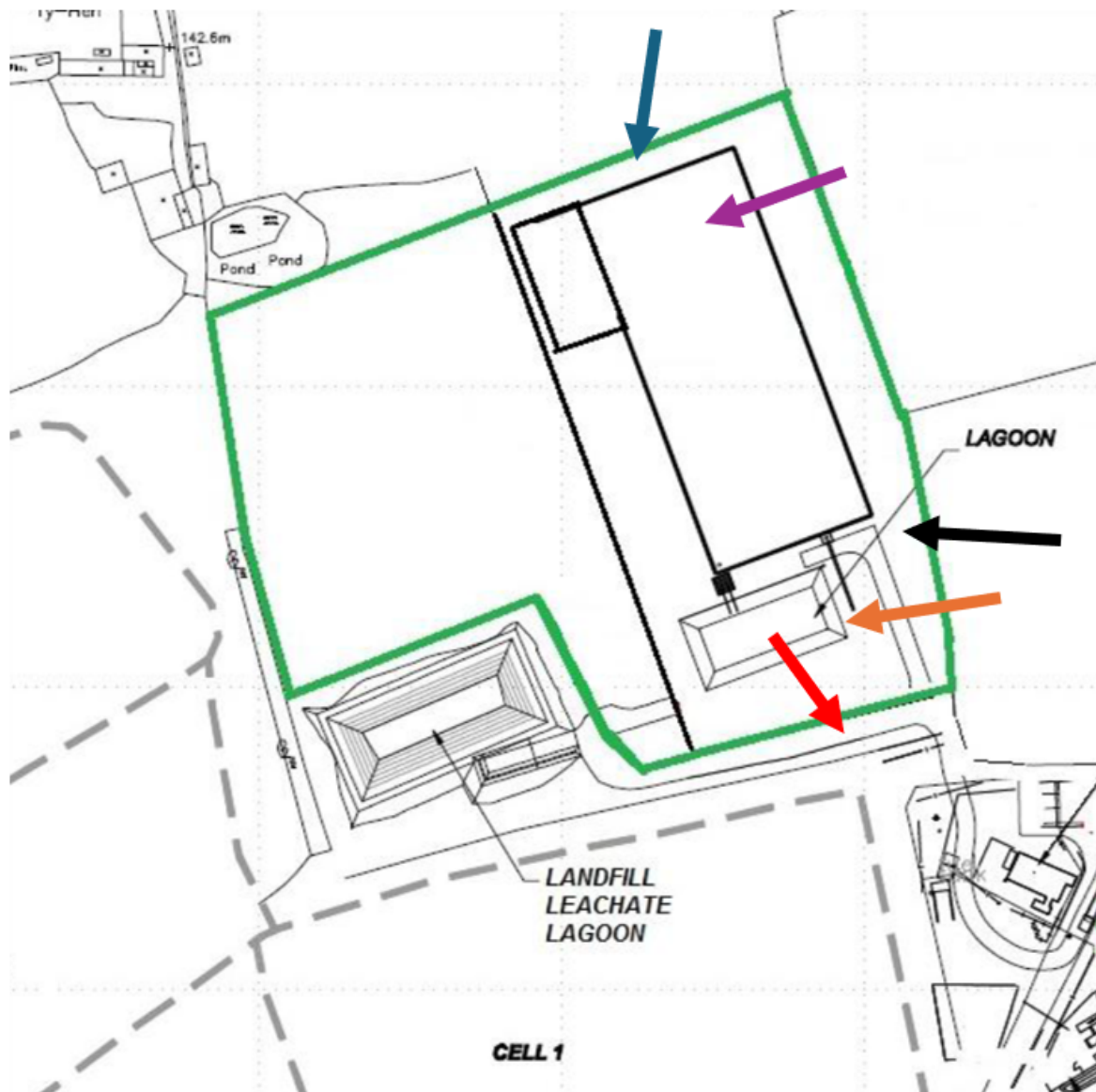


Figure 14 Map showing locations of findings discussed above.

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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- IR3A(2) – Emissions to air
- IR3A(3) – Emissions to 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.

### Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

### Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk)

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** [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.