

Compliance Assessment Report CAR_NRW0050818

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: 31/12/2025.

Parts of permit assessed: See Section 4.

NRW Lead Officer: Benjamin Taylor.

Report sent to: Waste Strategy & Policy Officer, Carmarthenshire County Council, on 27/02/2026.

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.
IR4B - Installations - Information - Reporting	C3 Minor	Permit condition 4.2.5.
IR4B - Installations - Information - Reporting	C3 Minor	Permit condition 4.2.5.
IR1A - Installations - Management - General Management	C3 Minor	Permit condition 1.1.1.

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

Total non-compliances recorded	Total non-compliance score
5	20

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 must submit a permit variation application to capture the proposed changes to the installation's infrastructure and processes. This application must be submitted within the specified timeframe.	29/05/2026
IR3A(1)	As action above.	29/05/2026
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.	30/04/2026
IR4B	As action above.	30/04/2026
IR1A	Carmarthenshire County Council is to ensure that the personnel involved in the operation for installation have the required certification in place. They must also ensure that sufficient resilience is in place to cover any future loss of key individuals from the business.	30/04/2026

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

Introduction

This Compliance Assessment Report (CAR) is an assessment of the July to December 2025 monitoring data, Schedule 5: Notifications and the 2025 Annual Report 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 Jan 2026
 - *Water1 / 17/08/2022.*
- Schedule 5 Notifications.
 - *PP3338CQ April to October 2025 TNpdf*

- PP3338CQ October to Nov 2025 TN
- PP3338CQ Reporting form Jan 2026
 - WaterUsage1 / 17/08/2022
 - Energy1 / 17/08/2022
 - Performance1 / 17/08/2022
- Leachate Treatment Report 2025 PP3338CQ

July to December 2025 Monitoring Submission

The monitoring data for the July to December 2025 was submitted by the Operator on the 27th of January 2026. The submitted data contained all informative requirements in accordance with permit condition 4.2.3a. The data was sent within the reporting period (28 days) as specified by permit condition 4.2.3.

Total Nitrogen

Monitoring Date	Monitoring Location	Parameter	Reported Value	Emission Limit Value (ELV)
27/08/2025	W1	Total Nitrogen	35.96mg/l	25mg/l

Table 1: Reported Total Nitrogen figure detailed within PP3338CQ Reporting form Jan 2026.

The reported figure of 35.96mg/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.

Excal Ltd are continuing to work on the de-nitrification reedbed proposal, with evidence of its progress (i.e. infiltration testing, fluorescein testing) submitted to NRW as reassurance on the 23rd of January 2026. As previously advised, incorporation of this denitrification 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 must submit a permit variation application to capture the proposed changes to the installation's infrastructure and processes. This application must be submitted within the specified timeframe.

The Operator submitted two Schedule 5: Notifications for seven exceedances of the Total Nitrogen ELV. Following the action contained within CAR_NRW0049025, the Operator is now reporting exceedances as Total Nitrogen directly in accordance with the EPR permit.

Monitoring Date	Monitoring Location	Parameter	Measured Value	Emission Limit Value (ELV)
02/07/2025	W1	Total Nitrogen	26.31mg/l	25mg/l
16/07/2025	W1	Total Nitrogen	25.15mg/l	
24/07/2025	W1	Total Nitrogen	25.35mg/l	
27/08/2025	W1	Total Nitrogen	35.96mg/l	
25/09/2025	W1	Total Nitrogen	26.7mg/l	
23/10/2025	W1	Total Nitrogen	26.52mg/l	
20/11/2025	W1	Total Nitrogen	30.36mg/l	

Table 2: List of Schedule 5 Notifications for exceedances of Total Nitrogen ELV

Waste Returns

The Operator confirmed on the 18th of February 2025 that they have failed to submit the quarterly waste tonnage information as is required by permit condition 4.2.5. This information feeds into NRW's waste tracking mechanisms in addition to inclusion within National Waste Statistics (NWS). This was despite an action contained within a previous CAR form (CAR_NRW0049025).

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
------------------------	------------	--	-----

The Operator has outlined to NRW that the failure to submit wastage tonnage information is due to a recent turnover of staff which has resulted in the absence of personnel holding the Technically Competent Management Certification. NRW have been advised that current staff are due to attain this certification via training which will commence imminently. Please be advised that permit condition 1.1.4 requires the Operator (or in this instance Carmarthenshire County Council) to comply with an improved competence scheme, they must ensure that they acquire the necessary certification without delay.

Compliance:

Carmarthenshire County Council has failed to ensure that their quarterly waste tonnage information was submitted within the specified timeframes. This is a contravention of permit condition 4.2.5 and consequently, a non-compliance score has been attributed against compliance criterion IR4B – Reporting. 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 waste tonnage information is submitted within the specified timeframe and using the correct form as is required by permit condition 4.2.5.

It is also considered that the root cause for the above permit breach is inadequacies in regards to general management. Namely, the lack of resilience where certified individuals have left the business without replacements in position. This constitutes a contravention of permit condition 1.1.1 and consequently, a non-compliance score of C3 has been allocated under compliance criterion IR1A – General Management.

Action:

Carmarthenshire County Council is to ensure that the personnel involved in the operation for installation have the required certification in place. They must also ensure that sufficient resilience is in place to cover any future loss of key individuals from the business.

Annual Report

The Operator submitted the following reports between the 27th and 30th of January 2026:

- PP3338CQ Reporting form Jan 2026
 - *WaterUsage1 / 17/08/2022*
 - *Energy1 / 17/08/2022*
 - *Performance1 / 17/08/2022*
- Leachate Treatment Report 2025 PP3338CQ

The above reports fulfil permit requirements and were submitted within the specified timeframe in accordance with 4.2.2.

Furthermore, the Operator has confirmed that the total annual emissions of following did not exceed annual limits contained within *Schedule 3: Table S3.2* (illustrated below). As a result, the Operator is compliant with permit condition 3.1.3.

Table S3.2 Annual limits		
Substance	Medium	Limit (including unit)
Total suspended solids	Water	1,095 kg in a year
Ammonium	Water	146 kg in a year
Iron	Water	28 kg in a year

Please note: This CAR report and assessment was undertaken on 26th of February 2026. 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 2025.

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

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

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.