

Compliance Assessment Report CAR_NRW0050739

Permit being assessed: DP3432SW.

For: Aberthaw Ash Disposal Site EPR/DP3432SW, **held by:** CCR Energy Limited

At: Aberthaw Power Station The Leys , Aberthaw, Vale of Glamorgan, CF62 4ZW.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2025 between 09:00 and 17:00.

Parts of permit assessed: Management, engineering, emissions.

NRW Lead Officer: Antony Leakey.

Report sent to: n/a, Head of Operations, on 13/04/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Installations - Management - General Management	C3 Minor	1.1.1(a)
IR2G - Installations - Operations - Landfill engineering (only applicable to landfill)	Assessed (A)	
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	Assessed (A)	

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
IR1A	Address the specific deficiencies and submit a revised CCRA	Already completed

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Aberthaw Ash Landfill – Monitoring Reports Review 2025

Site Inspection 2025

A site meeting was attended on 12 November 2025 to discuss the National Grid pylon tower replacement works CQA plan, which is taking place within the landfill permit boundary. Significant piling works were proposed and the main hydrogeological concern was the introduction of contaminated PFA landfill runoff leakage paths to groundwater.

The as built engineering drawings and CQA records (Document Reference: 202_AsB_40_full package_0) for the piling and foundation pad were subsequently provided. Examination of the records suggest that no leakage pathways into groundwater were introduced as a result of the works.

Monitoring reports

Six monthly and 2025 annual monitoring data (condition 4.2.1) have been reviewed and the following points noted:

The 2025 Annual Performance Monitoring Report continues to show potential discernibility of arsenic and hexavalent chromium in downgradient boreholes and surface water.

A more detailed assessment of relevant hazardous substances (specifically arsenic and hexavalent chromium being known PFA marker contaminants) and non-hazardous substances in groundwater in the context of potential proposals for ash extraction and whether removal of the source-term will be beneficial in the long term for groundwater quality or maintenance of the established deposit will provide better overall control of these pollutants over time is considered necessary to support an application to allow ash extraction.

Climate change risk assessment

Thank you for submitting your climate change risk assessment (CCRA) for the Aberthaw Ash Disposal Site.

A basic review has identified that the CCRA does not fully meet NRW's climate change risk assessment requirements. Key deficiencies include:

1. Lack of explicit climate projection references

No identification of projection sources (e.g., UKCP18) and defined time horizons (short/medium/long term).

2. No Key Performance Indicators (KPIs)

The CCRA includes mitigation actions but does not identify KPIs to measure resilience or adaptation performance.

3. No defined review/update plan

The CCRA should include a plan for regular updates and ongoing improvement.

4. Limited prioritisation of exposed elements

While assets and receptors are discussed, they are not systematically prioritised.

5. Some hazard assessments not fully site-specific

Some sections rely on generic impacts and do not robustly link projected changes to specific engineered systems, failure modes, or monitoring data. For example, dry weather deterioration of the surface cover assessment does not take into account the limited top soil layer and lack of irrigation infrastructure. The risk of offsite fugitive dust impacts during prolonged dry and windy conditions is considered to be under-estimated.

As a result of the deficiencies identified the CCRA did not meet permit condition 1.1.1(a) requirements for an adequate management system. The potential for impact is currently considered to be minor and therefore category 3 level.

CCR Energy has subsequently addressed the deficiencies listed above following a meeting with NRW to discuss requirements on 17 March 2026 and submitted a revised CCRA and associated Action Plan to Natural Resources Wales on 24 March 2026. The revisions are considered sufficient to ensure site-specific risks are managed subject to future verification of implementation of the measures identified.

The CCRA will also need comprehensive review and updating if ash extraction is proposed in the future.

END

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.