

	EPR Compliance Assessment Report		Report ID: 5801	
This form will report compliance with your permit as determined by an NRW officer				
Site	Nantycaws Phase 1 Landfill		Permit Ref	34138
Operator/ Permit holder	Cyngor Sir Gaerfyrddin / Carmarthenshire County Council			
Date	20 th January 2015			
What parts of the permit were assessed	Final on-site inspection to determine whether site can enter definitive closure and aftercare.			
Assessment	Inspection	EPR Activity:	Installation	Waste Op: X Water Discharge
Recipient's name/position	P.C. Williams (Carmarthen County Council)			
Officer's name	Neil Herbert		Date issued	22 nd January 2015

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	A	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed or assessed in part (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

Closure Report (Aftercare Management Plan)

- On the 13th January 2015¹ the operator's closure report, (dated January 2015) was approved by Natural Resources Wales (see separate CAR report).
- The approved Closure Report now forms part of the site's permit and you need to ensure that the requirements of the closure plan are undertaken.

Final on-site inspection²

The purpose of this visit was to undertake the final on site inspection of the landfill site in order to determine whether the site can be considered definitively closed and enter the aftercare phase.

During the visit we have undertaken a visual inspection of the facility and of the areas we inspected the following comments/observations are made:

- the areas to be definitively closed was inspected and this corresponds to the drawing submitted by the operator in the closure report;
- we are satisfied that waste acceptance at the facility has ceased;
- there was no visual evidence of instability along any of the flanks inspected (e.g. cracking or bulging to indicate rotational failures);
- of the monitoring wells inspected most appeared to be in satisfactory condition although some wells need some minor maintenance (see later comments);
- the leachate treatment plant was operational and appeared to be treating the leachate from the landfill;
- surface water discharge into the Afon Bantwen was clear of any signs of visual contamination;
- there was no discharge from the "french drain" point;
- there was no visual evidence to indicate leachate breakouts along the flanks inspected, however many of the landfill's flanks are heavily vegetated, making a thorough inspection difficult (see comments);
- landfill gas extraction systems were present on site and of those inspected were found to be operational (i.e. flow was audible);
- The landfill cap in most areas appeared to be in good condition with no evidence of scouring or significant settlement. Most of the site is grassed over. The main exception however is the area where soil/aggregate storage was undertaken until recently. This area is principally found adjacent to the access track that crosses over the site. Whilst this area has been capped, the recent storage activity on top of the cap means that certain areas will require some maintenance works (and seeding). This maintenance requirement has already been identified as part of the closure report's improvement programme and will be addressed as part of routine aftercare management plan (note the requirement is also likely to be included as an improvement condition in the new updated permit currently being drafted).

Following the conclusion of this visit NRW are satisfied that the site is now able to proceed to definitive closure and aftercare.

Please note that you will still need to ensure compliance with the provisions of your permit (including the closure report) and ensure that the site does not cause pollution to the environment, harm to human health or detriment to the amenity of the area.

¹ "Aftercare Management Plan" - dated January 2015, document reference: 1294r1v3d0115.
CAR 2 V1.0

Other comments:

The following observations are made and require your attention.

- Landfill Gas, knockout pot 3 was blocked and needs dewatering. The area around the KoP needs additional soils to support the pipework. Please liaise with *Infinis* to remediate asap.
- Two items of large plant were also parked on the capped area and these should be removed.
- It also appears that a small vehicle has driven over an area of the cap and caused damage to the restoration layer (i.e. wheel ruts). The affected area is to the East of gas well NYC0022. All staff/contractors should be instructed to avoid any activity that could damage the cap (i.e. driving over cap when the ground is saturated). This area will need to be remediated although this can be undertaken as part of the other capping maintenance works.



*Photograph showing damage to the cap caused by vehicle.
Approx. NGR:- SN4726317171*

- Many of the flanks and onsite drainage ditches are heavily overgrown with thick vegetation. Trees (Birch) are starting to establish in some places. Deep rooting plants will damage the cap and a thick layer of vegetation prevents adequate inspection of the landfill or blocks drainage systems (e.g. surface water ditch on the cap). During the aftercare phase vegetation should be kept under control (e.g. grassed but no shrubs or trees should be allowed to establish). As part of the aftercare management plan you must ensure these areas are now cleared. **Please note that any clearance of thick vegetation should not be undertaken when birds are nesting.**
- Two groundwater monitoring wells need to have protective covers fitted or replaced (BH104 and BH 105) to prevent accidental damage.
- There is a small stockpile of debris that should be removed offsite as part of the site maintenance/clean up (e.g. adjacent to Gas Well NYC0018).

Changes to subsistence charges

Your current subsistence band (based on NRW charging scheme²) is found on Table 3 subsection 3/A/f/3. Following this inspection the site can now move into definitive closure and aftercare and your subsistence band will be changed to Table 4/f/iii. This will see a reduction in your site's subsistence charges.

We will now be notifying our finance colleagues of the change and your billing details should be amended accordingly.

Permit Review

NRW are now preparing to undertake a review of your existing EPR permit, principally in order to update the document to include modern permit conditions and to reflect the closure report. This revised permit will also allow waste soils to be brought on site for use in any repairs to the engineered cap/restoration layer (although the type, location and volume of wastes will require prior written agreement from NRW). This provision will only be necessary should your maintenance survey (see improvement item 1 of the closure report) identify a requirement for additional soils.

End of section 2

² Current charges scheme: Page 122 to 126 (<http://naturalresourceswales.gov.uk/content/docs/pdfs/how-we-regulate-you/our-charges/environmental-permitting-charging-scheme-and-guidance.pdf?lang=en>)

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.	
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	☐
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	☐
We will now consider what enforcement action is appropriate and notify you, referencing this form.	☐

Section 4- Action(s)			
Where a non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
		No compliance breaches have been recorded however the following actions need to undertaken to ensure future permit compliance.	
		Ensure compliance with the requirements of your site permit and approved closure report (including improvement programme).	Ongoing
		Mitigation works to Knockout Pot 3 to improve falls	Two months from the issue of this report ³
		Removal of heavy plant from capped site. The capped landfill should no longer be used as a storage area as this is likely to damage cap.	Within 1 week from the issue of this report.
		Remediate damage caused by vehicle driving over the capped area when soil is saturated.	Improvement to be tied in to Improvement condition 1 programme.
		Training: Operator needs to ensure all staff contractors accessing the capped area do not damage the integrity of the system (e.g. driving over the cap following wet weather).	Within 3 weeks from the issue of this report.
		Areas of the site are heavily vegetated and require clearance. This should not be undertaken during the bird breeding season.	1 st December 2015
		Covers should be fitted to the two groundwater monitoring wells BH105 and BH 104	Within 3 months of the issue of this report ³
		Remove debris/pipes being stored on the site e.g. adjacent to gas well 18	Same time as remediation to the capped areas undertaken (see IC 1)

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you.

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General Information

Data protection notice

The information on this form will be processed by Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). NRW may also use and/or disclose it in connection with:

- offering/providing you with its literature/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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official **Complaints** and Commendations procedure, phone our general enquiry number **0300 065 3000** (Mon to Fri **08.00–18.00**) and ask for the **Customer Contact team** or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on **(0845) 601 0987**.