

	EPR Compliance Assessment Report	Report ID: 5798
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	13 th January 2015	
What parts of the permit were assessed	Assessment (& approval) of Closure Report (Aftercare Management Plan" dated January 2015 (ref: 1294r1v3d0115).	
Assessment	Report Review	EPR Activity: Installation: Waste Op: X Water Discharge:
Recipient's name/position	Phil Williams (Carmarthen County Council)	
Officer's name	Neil Herbert	Date issued 13 th 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)

- The operator's consultants recently (12th January 2015) submitted a revised Closure Report ((*"Aftercare Management Plan"* (dated *January 2015*, document reference: 1294r1v3d0115)).
- **Natural Resources Wales have now completed our assessment and the above document has been approved.**
- The approved Closure Report will now form part of your permit¹ and you need to ensure that the improvement plan, monitoring programme, reporting requirements and maintenance programmes are now programmed into your site's procedures. Failure to comply with the requirements of your Closure Report will be considered a breach of permit and an offence.
- The improvement programme, as set out in WP9 and reproduced below, needs to be implemented to the agreed timetable:

Ref.	Action	Timeframe
1.	Undertake survey of areas used by CWM to store materials. Objective of assessment should be to identify and assess potential damage to the cap. Use the results to determine practicable remedial measures required to improve the capping systems.	14 th January 2016
2.	Investigate soft ground on southern flank west of drain placed to capture previous leachate breakout (Photo N on Figure 13 in WP2), fully saturated waste in southern part of site (see area identified in Figure 13 in WP2) and northwestern flank where ground is soft all year (Photo C on Figure 13 in WP2).	14 th January 2016
3.	Improve accessibility at BH106 as piezometer tubing is below ground level.	14 th July 2015
4.	Repair headworks at BH109 to enable gas tap to be removed and groundwater level measured	14 th July 2015
5.	Excavate BH110 and install new headworks to enable monitoring.	14 th July 2015
6.	Investigate cause of poor drainage/different grass species on eastern flank (see area identified on Figure 13 in WP2). If necessary, develop remedial plan.	14 th January 2016
7.	Replace soil around leachate inspection chambers or lower infrastructure in areas where the waste has settled to minimize visual impact.	14 th January 2016
8.	Replace sampling valves on all gas extraction wells to enable monitoring at the well head.	14 th July 2015
9.	Clear vegetation and improve access to gas extraction manifolds.	14 th February 2015
10.	Identify gas extraction wells that are leaking and not fit for purpose. A plan should be developed to seal wells and / or replace wells no longer suitable for use.	14 th July 2015
11.	Assess the need for new gas extraction wells as current number of wells is insufficient. Evaluate the potential for increased gas extraction.	14 th July 2015
12.	Ensure that all gas extraction wells are clearly identified and that the labelling system used agrees with the plan of the gas extraction network.	14 th July 2015

Final on-site inspection²

NRW will shortly be undertaking an inspection² of the landfill to determine whether the site can be considered **definitively closed** and then enter the **aftercare phase**. If the inspection does confirm definitive closure, the site will be transferred to a lower charging band and subsistence fees will be reduced to reflect the fact the site will be in the aftercare phase. We plan to undertake this inspection in the next six weeks.

¹ Condition 1.6 of the current permit

² To conform with the requirements of the Landfill Directive, Article 13,b
CAR 2 V1.0

Groundwater Emission Limits

As part of the closure report assessment new groundwater emission limits have been approved and should be used to assess compliance.

Trigger levels for emissions into groundwater and monitoring requirements				
Monitoring point reference	Parameter	Limit (including unit)	Monitoring frequency	Monitoring standard or method
BH101, BH103, BH104, BH105, BH117 as shown on Figure 11 of the Aftercare Management Plan.	Ammoniacal Nitrogen	10 mg/l	Quarterly	Unless otherwise agreed in writing with Natural Resources Wales, monitoring methods used shall be in accordance with Environment Agency document "Guidance on monitoring of landfill leachate, groundwater and surface water" (LFTGN02).
	Potassium	40 mg/l		
	Chloride	250 mg/l		

Permit Review

With the approval of this closure report, NRW are now planning 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 will not affect (i.e. delay) whether the site enters definitive closure although we hope to start the review shortly.

Note: Surrender and Monitoring

Whilst the site will not be in a position to be surrendered for several years (e.g. site is still generating landfill gas, etc.) it should be noted that the monitoring programme set out in this Closure Report is unlikely to satisfy the standards required to support a surrender application and would need to be enhanced.

End of section 2

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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.	
		Implement the monitoring programme, monitoring standards (including control levels and emission limits) and improvement programme (WP9) as set in the newly approved closure report.	With immediate effect
		Apply the newly approved groundwater emission limits to groundwater monitoring results.	With immediate effect

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**.