

Compliance Assessment Report

Report ID:
CAR_NRW0034437

This form will report compliance with your permit as determined by an NRW officer

Site	Argoed Farm AD Facility	Permit Ref	AB3090CC		
Operator/Permit holder	Derwent Renewable Power Ltd				
Regime	Waste Operations				
Date of assessment	18/12/2018	Time in	10:30	Out	12:20
Assessment type	Site Inspection				
Parts of the permit assessed	Permitted Activities, Management, Infrastructure				
Lead officer's name	Park, Liz				
Accompanied by					
Recipient's name/position	Roger Hughes/ TCM	Date issued	16/01/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
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KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Liz Park arrived on site to undertake a pre-arranged inspection. Liz met with Roger Hughes who is the Technical Competent Manager and manages the site for Derwent Renewable Power Ltd and Lucy Downes, of Evolution Biogas Ltd (formally part of Marches Biogas Ltd) who is contracted to provide compliance support. At the time of the inspection the weather was wet and cold.

The site had previously been visited during the construction phase to fully understand some issues regarding pipework. This is the first full site inspection site of the AD Plant. Therefore, Liz Park went through the first inspection checklist with Roger and Lucy. This was preceded by a walkover of the site.

Site Walkover

Lucy and Roger took Liz around the AD Plant. Feedstock maize is stored in purpose constructed bays outside of the AD Plant (please contact NRW should you plan to change the use to silage storage). Poultry manure is stored within the reception shed. All valves are padlocked. The surface water within the AD Plant compound drains to a sump. The drainage of the sump requires manual operation and is locked unless in use.



Liquid feed tank and digestate storage tank

First Inspection Checklist

Technical Guidance – Roger and Lucy were aware of all relevant technical guidance documents.

Environmental Management System (EMS) – Liz Park briefly reviewed the management system whilst on site and it appeared to be sufficient. Lucy agreed to send an electronic copy to Liz so that a full review can be undertaken. ACTION: Please send an electronic copy of the EMS to Liz Park.

Technical competence – Roger Hughes is the qualified TCM. He is assisted by Ian Gethin. Roger lives adjacent to the site so is on site every day. Should cover be required this would be provided by Evolution Biogas Ltd.

Waste Returns – These are being completed by Lucy and are being submitted within the correct time frame.

Compliance/ CCS scores – How non-compliances affect CCS scores was explained to Roger.

Compliance Assessment Report – This was explained to Roger. The completed CAR need to be emailed to both Lucy and Roger.

Public Register – Liz explained as to which documents are held on the public register.

Duty of Care – The duty of care requirements were explained.

Hazardous Waste Regulations – This was explained. The most likely producer of hazardous waste is Clarke Energy who maintain the CHP plant.

Making Changes to the permit – This was discussed.

Sector Specific Topics – Noise and odour were discussed.

Landowner/ leasing details – The AD Plant is owned by Derwent Renewable Power Ltd and the land upon which it sits is owned by Roger and Janes Hughes t/a RJ Hughes and Co.

Other areas that were discussed are as follows:

Maintenance

Maintenance is undertaken under contract by Evolution Biogas Ltd. Maintenance records are sent to Roger who reviews them and if necessary will discuss them with the engineers. The AD Plant is monitored 24 hours by Evolution Biogas and notifications are sent to Roger and Ian.

DSEAR

A DSEAR plan was available on the wall of the office. Liz requested that a copy is provided to NRW.

ACTION: Send a copy of the DSEAR plan to Liz Park.

Bunding

Liz Park requested the CQA documents for the bunding for the AD Plant.

ACTION: Email electronic copy of the DSEAR plan to Liz Park

Digestate application

The dried digestate is to be ploughed in on land farmed by Roger. Liquid digestate will be applied using a dribble bar. The soil is being tested.

Foul drain by the digestate dryer

This drain takes effluent back into the AD Plant. It was observed that the cover of the drain was blocked with debris. Roger was advised that this needed to be cleared which he undertook. Please ensure that this drain is checked as part of the routine daily checks. Should this drain become blocked there is the potential for effluent to over spill into the surface water management system.



Blocked drain

Storage of oil/ other potentially polluting liquids by Clarke Energy

It was observed on site that several drums containing an unidentified liquid used by the CHP were being stored on a pallet near a surface water drain. Lucy contacted Clarke Energy who advised on the 20 December that an engineer was visiting the site the follow date, and will be advising on the what needs to be removed. Drainage covers are being provided by Evolution.



Drums containing potentially polluting liquids

Whilst it is accepted that it is Clarke Energy who storage the liquids and produce the liquid waste, should a leak or accident occur (e.g. collision with a vehicle) then it could enter the surface water management system, and due to the close proximity of the foul drain, has the potential to enter the AD Plant. It is advised that the appropriate storage of liquids in drums/ containers is included in the daily checks. The drums should be stored with secondary bunding and be protected from collisions from machinery operating in the area.

Action: Ensure that any liquids in drums/ containers used by Clarke Energy for the CHP are stored appropriately. And that in the event that they are not, procedures are in place that can be followed to resolve the issue.

EPR Compliance Assessment Report

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Operator/Permit holder	Derwent Renewable Power Ltd	Date	18/12/2018

Section 3 – Enforcement Response

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.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

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 verbally or 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 that 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 the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The 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 (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The 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

The 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 fifteen 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 officer's line managers using the informal appeals procedure. 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 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.