

Compliance Assessment Report CAR_NRW0040379

Permit being assessed: AB3496HZ.

For: Wern Heulog Poultry Unit, held by Keri Davies

At: Wernheulog, Llanfared, Builth Wells, Powys, LD2 3TE.

Type of assessment carried out: Audit, Reason: Routine.

On 08/09/2022 between 09:00 and 11:00.

Parts of permit assessed: All

NRW Lead Officer: Ffion Jones.

Report sent to: Keri & Sian Davies , Farm Manager/ Owner on 09/09/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D2 - Incident Management - Accidents, emergency and incident planning	C4 No impact	1.1 General Management
C2 - General Management - Management system and operating procedures	C4 No impact	2.3 Operating Techniques
A1 - Specified by permit	C4 No impact	2. Operations

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

Total number of non-compliances recorded	Total non-compliance score
3	0.3

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
D2	Please attach drainage plan and raw materials list to Accident Management Plan	10/10/2022
C2	Provide sight of Nutrient/ Manure Management Plan and include a copy with site documentation	10/10/2022
A1	Update permit with an accurate drainage/site plan.	10/10/2022

Action 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.

At this time, we do not intend to take any further action.

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

Natural Resources Wales officer Ffion Jones met with Poultry operators/owners Keri & Sian Davies to carry out a routine poultry inspection on Thursday 8th September at 9am. Thank you for your time during a visit.

Non-compliances (recorded in summary). Actions to be addressed:

Accident Management Plan

Please attach a copy of the updated site/drainage plan and the raw materials list to the Accident Management Plan by the 10th October 2022. Please send a copy of both the updated site/drainage plan and the Raw Materials List to Ffion Jones.

The site/drainage plan must contain the site layout, direction of flow, dirty water tanks/channels, clean water tanks/channels, diverter valves, surface and foul drains, manure stores, gas, fuel, tanks, incinerators, chemical stores, biomass, woodchip, sensitive receptors etc.

Raw Materials List should include any raw materials that is used within the permitted site area, maximum amount that is likely to be stored at any one time, annual throughput and description of use. For example (add and amend table as appropriate for site specific raw materials).

Raw Materials	Maximum amount stored at any one time	Annual throughput	Description of use
Water			
Gas			
Diesel			
Oil			
Feed/Grain			
Chemicals			
Scrubber inputs e.g. acid			
Biosecurity/Disinfectant			
Manganese			
Medicines			
Wood shaving			
Bedding			

Nutrient/Manure Management Plan

Please send a copy of the Nutrient/Manure Management Plan to Ffion Jones by the 10th

October 2022 and include a copy within the site documentation records. The plan should detail which land is suitable for spreading and when spreading can be carried out, sensitive receptors, risk maps, weight and nutrient content of manure being applied, soil sample results, manure analysis etc.

Please comply with permit and The Water Resources (Control of Agriculture Pollution) (Wales) Regulations 2021:

<https://www.legislation.gov.uk.wsi.2021/77/part/7/made>

Permit Variation

Site/Drainage Plan

The plan should be an accurate representation of the site and needs to be updated in schedule 7 of the permit. The drainage plan should include all clean water and dirty water systems including any storage tanks, channels, soakaways etc. The plan should also outline any other environmental hazards e.g. fuel tanks, incinerators, gas tanks, chemical store etc. Once the plan has been updated, please ensure it is changed accordingly i.e. within permit, notice board, accident management plan etc.

Incinerator

If in future you would like to install an incinerator to incinerate the dead birds please ensure you do the following;

- The incinerator will need to be listed under the emissions table in schedule 3 of the permit - you will need to apply for a normal variation with NRW to change permit information.
- The incinerator and associated works will need to be specified on all site/drainage plans within the permit (schedule 7) and on-site.
- The incinerator will need to be registered with APHA and seek permission;
<https://www.gov.uk/guidance/animal-by-products-how-to-burn-them-at-an-incinerator-site>

Information can be found on the NRW pages to make a permit change -

<https://naturalresources.wales/permits-and-permissions/installations/apply-to-vary-change-a-permit-for-installations/?lang=en>

Please provide evidence that a request has been submitted to NRW by the 10th October 2022.

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 only relating to the activity assessment
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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at 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.