

Compliance Assessment Report CAR_NRW0040512

Permit being assessed: AB3090CC.

For: Argoed Farm AD Facility, held by Derwent Renewable Power Ltd

At: Argoed, Trefeglwys, Caersws, Powys, SY17 5QT.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 04/10/2022 between 11:40 and 14:20.

Parts of permit assessed: All

NRW Lead Officer: Malcolm Dines, accompanied by Liz Park.

Report sent to: Roger Hughes, Owner on 21/10/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C1 - General Management - Staff competency/training	C3 Minor	1.1.4
C2 - General Management - Management system and operating procedures	Ongoing (O)	1.1.1
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
C1 - General Management - Staff competency/training	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3 Minor	2.4.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B4 - Infrastructure - Containment of stored materials	C3 Minor	3.2.3
B4 - Infrastructure - Containment of stored materials	Action only (X)	
B5 - Infrastructure - Plant and equipment	C3 Minor	2.1.2
E3 - Emissions - Surface water	C3 Minor	3.2.1
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	C3 Minor	1.1.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to	Ongoing (O)	4.2.2

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
Natural Resources Wales		
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.3.4

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

Total number of non-compliances recorded	Total non-compliance score
8	28.1

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
C1	Submit a copy of Mr. Hughes' Continuing Competency certificate, or employ a suitably qualified manager	31/12/2022
C2	Review and revise EMS to ensure that the site is managed to prevent, or if that is not possible, to minimise pollution of the environment. You must refer and follow the NRW Guidance, "How to Comply with your Environmental Permit". Submit the revised EMS to NRW for review	31/10/2022
C2	Comply with the requirements for security as set out in compliance report ref: CAR_NRW0040131	31/12/2022
C1	Ensure that the site has sufficient staff that are suitably qualified to ensure that the site is operated in accordance with your environmental permit	31/12/2022
B3	Submit a full report into the site drainage by a third-party drainage specialist, including a detailed site drainage plan. The report must also detail any improvements required to ensure that the site drainage is fully compliant with your permit in that clean and foul drainage is full segregated and that in the event of any spill, leak or failure in this area, the spilled material can be contained and recovered. This will then be assessed and a subsequent deadline for the completion of the work will then be agreed	31/10/2022
B3	Ensure that the channel drains across the entrance to the storage clamps are kept clean and clear of materials that will prevent effluent being contained in the dirty water drainage system.	14/10/2022
B3	Ensure that the connection between the channel drain across front of the southern storage clamp and the clean-water drainage system is removed by replacing the bung in the outfall from the gulley pot and removing the pipe under the yard.	31/12/2022
B3	Install a lock on the diverter valve switch and include the procedure for using the diverter valve in your EMS.	31/12/2022
B3	Ensure that the impermeable pavement at the site is fit for purpose and prevents the transmission of effluent to	31/12/2022

Criteria	Action needed	Complete by
	groundwater. Submit to NRW a schedule for the repair of the impermeable pavement in the southern storage clamp	
B4	Ensure that potentially polluting liquids are stored securely and provided with adequate secondary containment. The Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016 require that oil is stored with adequate secondary containment and the failure to comply with this action may result in NRW taking enforcement action under the above regulations.	31/12/2022
B4	Ensure that surface water in the bunded tankfarm is pumped to the digester tank before the sump overflows. You must keep records of when the surface water in the bund is pumped out, these will be reviewed during a subsequent site visit.	14/10/2022
B5	Ensure that the bleed-valve system (as well as all plant and equipment at the site) is constructed and maintained as designed and to the manufacturers requirements.	31/10/2022
E3	Prevent effluent discharging via the surface water drainage system. Clean the clean-water drainage system between the middle and southern surface water drains on the main yard	31/10/2022
G2	Ensure that all records required by the permit are kept correctly. You must keep records to demonstrate that you are operating and managing the activities in compliance with your management system. Use your management system to explain what records you are going to keep and where they will be held. Then make sure you keep the relevant records up to date.	14/10/2022
G4	Ensure all quarterly waste returns since the beginning of 2020 are submitted to NRW. This is an on-going non-compliance which has not passed the set deadline.	31/10/2022
G4	Submit a admin-only variation	31/12/2022

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.

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

This compliance visit was carried out by Malcolm Dines and Liz Park who met with the owner of the site, Roger Hughes who accompanied the officers for part of the visit and then met with the officers before they left the site. A full assessment of the site was undertaken. The weather was dry to start with, but rain started and increased during the visit.

The purpose of the visit was assess compliance with actions required on the previous CAR form (ref: CAR_NRW0040131) and to identify whether those actions had stopped effluent discharging into the adjacent watercourse via the clean water drainage system. The inspection identified that you have made progress with ensuring that spills from the yard adjacent to the separator and digestate collection valves, which was the source of previous pollution incidents, can no longer enter the clean water drainage system. The surface water drains in this yard now have bungs fitted to the outlets and the intention is to re-route those drains so that surface water drains to the sump in the bunded tankfarm and recirculated to the digester.

You also stated that the clean water drainage system has been jetted twice since the last time Natural Resources Wales (NRW) visited the site to remove any effluent that was retained in the system. Additionally the channel drains across the northern and middle storage clamps has been repaired ensuring that any effluent produced by the materials in those clamps is contained by the dirty water system and no longer enters the clean water drainage system through defective drains, impermeable surface or damaged bungs.

This work has removed the incorrectly built "overflow" connecting the from the channel drain to the clean water drainage system. However, at the same time it was identified that effluent from the southern clamp was not being contained properly despite the channel drain already having been replaced, due to defective impermeable pavement. Further investigation is required to identify whether this is the source of on-going effluent discharge to the adjacent water course, but the impermeable pavement must be repaired once the clamp is empty and before it is used to store any more material.

You no longer accept waste buttermilk as a feedstock which means that you can spread the digestate to your land without the need for it being carried out under a landspreading permit and deployment. The reason this buttermilk is waste is that the producer originally sent it to another company for use in the manufacture of foodstuffs, but the buttermilk then failed to meet the criteria set by this company and so was rejected. It was then sent to your site for use in the digester, because it had been rejected for use as foodstuff it becomes waste. If subsequently the buttermilk producer decided to sent the material directly to an Anaerobic Digestion plant this again is waste as the original intention of producing buttermilk is not for using in the production of energy. In both these situation the buttermilk is classified as "biodegradable materials from the dairy products industry unsuitable for consumption or processing" which has the European Waste Catalogue code of 02 05 01.

Due to changes being made at the farm you will no longer separate and dry digestate as the excess heat from the AD process will be used to heat the chicken sheds. Therefore you will no longer need to build a wall within the reception building to ensure that dried digestate and chicken manure for feedstock are kept separate.

Permit Breaches

C1 - Staff competency/training - Cat 3; Permit Condition 1.1.4

You have been given this category 3 breach under the above condition because the site does not have a suitably qualified Technically Competent Manager. Roger Hughes is the sole Technically Competent Manager and although he has an appropriate qualification, he has not passed a Continuing Competency

assessment which was required before 21st August 2020. As set out in the previous compliance report (ref: CAR_NRW0040131), you have been reminded several times of this requirement. It is reasonably foreseeable that the failure to have a suitably qualified manager at the site could result to a significant pollution of a watercourse, especially when digestate is such a high risk to the aquatic environment. It is also reasonable to consider that not having a qualified Technically Competent Manager is the, or a root cause of all the other permit breaches identified in this compliance report.

If you do not gain your Continuing Competency certificate before 1 January 2023, from that date you must employ a suitably qualified person who must attend the site for at least 7 hours a week.

The requirement for an Operator to comply with the requirement for a Technically Competent Manager is a fundamental of operating site under an Environmental Permit therefore, after 31 December 2022, NRW may consider suspending the permit until you fully comply with this permit condition.

It is noted that since the compliance visit, Mr. Hughes has booked to undertake his Continuing Competency assessment in November 2022.

Action - Submit a copy of Mr. Hughes' Continuing Competency certificate, or employ a suitably qualified manager. By 31 December 2022.

C2 - Management system and operating procedures - Cat 3; Permit Condition 1.1.1 – On-going Action

You were given this category 3 breach under the above condition on the previous compliance report (ref CAR_NRW0040131) because the Environmental Management System (EMS) for the site is inadequate and it is reasonable to consider that this is a root cause of the other permit breaches identified on this CAR form. As noted on the previously your EMS appears to be a generic user manual provided by the manufacturer that does not provide detail about the specific operation of the site. During this visit there was no evidence that you have yet to comply with the actions set out in the last compliance report.

Action – Review and revise EMS to ensure that the site is managed to prevent, or if that is not possible, to minimise pollution of the environment. You must refer and follow the NRW Guidance, "How to Comply with your Environmental Permit". Submit the revised EMS to NRW for review. By 31 December 2022

C2 - Management system and operating procedures - Cat 3; Permit Condition 1.1.1

You have been given this category 3 breach, consolidated under the above breach of permit condition 1.1.1, because it has been identified that there is no security at the site. On the last compliance report (ref: CAR_NRW0040131) you were required to ensure a minimum standard of site security that included keeping the gate from the yard by the feedstock clamps to the field closed and locked at all times. During this compliance visit, the gate was shut, but it was not locked and there was no site noticeboard at the entrance to the site, which means you have failed to comply with the actions required in the compliance report.

Action – Comply with the requirements for security as set out in compliance report ref: CAR_NRW0040131. By 31 December 2022.

C1 - Staff competency/training - Cat 3; Permit Condition 1.1.1

You have been given this category 3 breach under the above condition because during the compliance visit in July you were advised that some of the compliance breaches were possibly due to having insufficient staff

at the site. During this compliance visit it was clear that insufficient staffing at the site was a root cause for some of the permit breaches identified. You must ensure that you have sufficient staff to operate the site in accordance with your environmental permit, including ensuring that daily site checks are undertaken and recorded, the EMS is updated and site maintenance is completed in a timely manner.

Action – ensure that the site has sufficient staff that are suitably qualified, to ensure that the site is operated in accordance with your environmental permit. By 31 December 2022.

B3 - Site drainage engineering (clean and foul) - Cat 3; Permit Condition 2.4.1

You have been given this category 3 breach under the above condition because in the previous compliance report (ref: CAR_NRW0040131) you were required to submit a full report into the site drainage by a third-party drainage specialist by 30 September 2022. Although you have contracted a consultant to carry this work out and they have visited the site, you have yet to receive a report from them and you did not have an explanation about why this work has not been delivered. This indicates that you have not made an effort to chase your consultant or identify why they had not been able to provide you with the document by the deadline you had been set. You also failed to inform Natural Resources Wales (NRW) that this action had not been completed or that you were having trouble getting the document from your consultants.

Additionally, during the inspection it was identified that effluent was entering the clean water drainage system and discharging to a watercourse via the surface water outfall. The effluent was visible in the southern surface water drain gulley on the main yard and it could be seen that the effluent was entering the drain from the clean water drainage system. However, there was no liquid discharging from the middle surface water drain on the yard into the clean water drainage system and therefore it was concluded that the effluent entering the southern drain via the system was entering the system between the middle and southern drains. This suggests that the effluent is either residual effluent that entered the system due to previous pollution incidents, or it is entering the clean water drainage system between the middle and southern surface water drains. Although you have replaced the channel drains across the front of the northern and central feedstock clamps, the channel drain on the southern feedstock clamp still has an outflow connected to the clean water drain in the centre of the main yard. This outlet currently has a bung in it to prevent effluent entering the clean-water system and there was no evidence of effluent entering the clean surface water drain however, this connection needs to be removed.

At the time of the inspection the effluent from the perimeter drain for the feedstock clamps is still collected by a temporary bund and directed to the effluent containment system. You must ensure that the effluent containment system for the feedstock clamps is improved to include effluent collected by the perimeter drain without the need to use a temporary bund.

It was also noted that there was a large build-up of silage within the channel drain across the front of the southern storage clamp. Unless this drain is kept clean, the silage will block the drainage system and cause effluent to spill onto the yard and enter surface water drains.

During the site inspection it was noted that the diverter valve that can allow uncontaminated rainwater to be pumped from the bunded tankfarm to the clean-water drainage system was positioned correctly so that in the event of the pump being operated, any liquids in the sump will be pumped to the digester tank. However, there was no padlock on the switch or the diverter valve and so the pump could be operated by anyone accessing the bunded area resulting in a possible pathway to land or to a surface water drainage system that could impact upon a receiving water. This issue was identified on the previous Compliance Report but you have not taken any action to improve site infrastructure or management of the diverter

valve.

During the site visit it was identified that the impermeable surface of the southern storage clamp is damaged and is allowing effluent to permeate below the surface of the clamp. Although you stated that the whole site is lined with plastic below the concrete, both the corrosive nature of effluent and damage to the concrete is likely to result in the plastic liner being damaged and effluent will then start to contaminate groundwater, or leach out to the watercourse. Permit condition 2.4.1 requires that, "All waste solids, liquids and sludges shall be securely stored. In the event of a leak, spill or failure, material can be contained and recovered" and the damaged surface is a breach of this condition as you are not able to contain or recover material lost.

Once all the silage currently stored in the southern storage clamp has been used and the clamp is empty, no more material that produces potentially polluting liquid effluent may be stored in that clamp until the impermeable pavement has been repaired and will prevent transmission of liquids below the surface.

Action – Ensure that the impermeable pavement at the site is fit for purpose and prevents the transmission of effluent to groundwater. Submit to NRW a schedule for the repair of the impermeable pavement in the southern storage clamp. By 31 December 2022. The deadline for the repair to be completed will be agreed following the submission of a suitable schedule of works.

Action – Submit a full report into the site drainage by a third-party drainage specialist, including a detailed site drainage plan. The report must also detail any improvements required to ensure that the site drainage is fully compliant with your permit in that clean and foul drainage is full segregated and that in the event of any spill, leak or failure in this area, the spilled material can be contained and recovered. This will then be assessed and a subsequent deadline for the completion of the work will then be agreed. By 31 October 2022

Action - Ensure that the connection between the channel drain across front of the southern storage clamp and the clean-water drainage system is removed by replacing the bung in the outfall from the gulley pot and removing the pipe under the yard. By 31 December 2022.

Action - Ensure that the channel drains across the entrance to the storage clamps are kept clean and clear of materials that will prevent effluent being contained in the dirty water drainage system. With immediate effect

Action – Install a lock on the diverter valve switch and include the procedure for using the diverter valve in your EMS. By 31 December 2022

B4 - Containment of stored materials - Cat 3; Permit Condition 3.2.3

You have been given this category 3 breach under the above condition because during our inspection it was observed that drums of anti-freeze and a drum of unlabelled oil are being stored in the upper yard by the gas engine with no secondary containment. In the event of any spill from these drums, the spilled material will drain to the surface water drains in the yard. As these drains are now sealed units, any overflow will enter the sump for digestate and there is then the potential for it to be pumped to the digestate storage tank. There would then be the potential for oil or anti-freeze to be spread to land.

Although these drums belong to Clarke's for the maintenance of the gas engine, it is still your responsibility as the permit holder to ensure that the liquid is stored correctly and with adequate secondary containment. This was a requirement of the previous compliance report (ref: CAR_NRW0040131) and you have not complied with the deadline for the action.

As well as being a breach of permit, oils must be stored in accordance with The Water Resources (Control of Pollution)(Oil Storage)(Wales) Regulations 2016 and the failure to comply with these regulation is an offence. You must ensure that any secondary containment for oils at your site complies with these regulations. The failure to do so, may result in NRW taking enforcement action under these regulations rather than as a breach of permit.

During this site visit it was identified that the impermeable surface of the southern storage clamp is damaged and is allowing effluent to permeate below the surface of the clamp. Although you stated that the whole site is lined with plastic below the concrete, both the corrosive nature of effluent and damage to the concrete is likely to result in the plastic liner being damaged and effluent will then start to contaminate groundwater, or leach out to the watercourse. Additionally it was noticed that it appeared that, due to significant amounts of surface water in the bunded tankfarm, there had been a spill of digestate. You explained that the liquid was surface water and due to rainfall there had been a significant depth of surface water within the bund. This must not be allowed to happen, the bund is designed to retain 110% of the contents of the largest tank and retaining such a quantity of water will mean that in the event of a spill effluent will overflow the top of the bund. You must ensure that surface water is pumped from the bunded area before the sump is full and every time the pump is activated this must be recorded in the site records or site diary.

Action - Ensure that all potentially polluting matter is stored securely and that oils are provided with adequate secondary containment that complies with the requirements of The Water Resources (Control of Pollution)(Oil Storage)(Wales) Regulations 2016. By 31 October 2022

Action – Ensure that the impermeable pavement at the site is fit for purpose and prevents the transmission of effluent to groundwater. Deadline to be determined but once the southern clamp is empty no further material can be placed in it until it is repaired.

Action - Ensure that surface water in the bunded tankfarm is pumped to the digester tank before the sump overflows. You must keep records of when the surface water in the bund is pumped out. These will be reviewed during a subsequent site visit.

B5 - Plant and Equipment - Cat 3; Permit Condition 2.1.2

You have been given this category 3 breach under the above condition because during the compliance visit it was observed that the bleed-valve for the digestate pumping system is still not constructed or maintained to the manufacturers specification (as shown in the photograph below). This compliance breach was identified on the previous compliance report (ref: CAR_NRW0040131) and during this compliance visit you stated that you had not been able to get the bleed-valve working correctly.

There is a considerable quantity of effluent that has been sprayed onto the floor of the bunded tankfarm, as well as onto equipment and pipes around the area of the bleed-valve which makes the site look untidy and shows that spills are not being cleaned-up when they occur however, if the diverter valve is managed correctly there is little risk to the environment from this breach as any spills are contained in the bunded area behind the diverter valve. The previous compliance report (ref: CAR_NRW0040131) stated that “*if future compliance visits identify that the diverter valve is not being managed correctly then breaches identified within the bunded tankfarm may be given a higher compliance score*”. It has been three months since this issue was identified and the system has still not been fixed and therefore the compliance score has been increased.

Action – Ensure that the bleed-valve system (as well as all plant and equipment at the site is constructed

and maintained as designed and to the manufacturers requirements. By 31 October 2022

E3 - Surface water - Cat 3; Permit Condition 3.2.1

You have been given this category 3 breach under the above condition because during our inspection it was observed that effluent was discharging into the watercourse from the clean water discharge point. Effluent from feedstock and digestate storage clamps is not being fully contained and is entering the clean water drainage system via drains on the yard between the storage clamps and the reception building. It is then discharging to the watercourse.

You were given the same breach on the previous compliance report however, at the time it was thought that this was due to the effluent containment on the northern and middle feedstock clamps being damaged and effluent finding its way into the clean water drainage system. However, the effluent containment for those clamps have now been repaired and during this compliance visit it could be seen that it is likely that the effluent is getting into the clean water drainage system from damage to the effluent containment of the southern feedstock clamp that currently contains grass silage.

You said at during the compliance visit that you will jet the clean water drainage system between the middle and southern surface water drains on the main yard, including the underground retention tank. You also said that you will carry out maintenance on the effluent drainage system for the southern clamp to remove the connection between the effluent containment system for the clamp and the clean water drainage system. This should indicate whether the damage to the impermeable surface of the clamp is resulting in the discharge of effluent to surface water. Actions relating to the effluent containment system is set out under Criteria B3.

In the event that this does not resolve the discharge of effluent to the surface water you must take further action to stop the discharge.

Action – Clean the clean-water drainage system between the middle and southern surface water drains on the main yard. Stop the emission of effluent to surface water. By 31 October 2022.

G2 - Records of activity, site diary/journal/events - Cat 3; Permit Condition 1.1.2

You have been given this category 3 breach under the above condition because during our inspection it was observed that you have failed to keep records of daily checks and the records of plant operations are incomplete. The failure to undertake and keep records of daily checks means that significant operational issues may not be identified. At present it is reasonable to consider that the failure to keep records correctly could result in minor harm to the environment. However, if you do not keep records as required and carry-out daily checks this may result in higher compliance scores in the future.

Action – Ensure that all records required by the permit are kept correctly. You must keep records to demonstrate that you are operating and managing the activities in compliance with your management system. Use your management system to explain what records you are going to keep and where they will be held. Then make sure you keep the relevant records up to date. With immediate effect.

G4 - Reporting and notification to Natural Resources Wales - On-going; Permit Condition 4.2.2

You were given this category 3 breach under the above condition on the last CAR form (ref:

CAR_NRW0040131) because you have not submitted any waste returns since Quarter 4 of 2019. Currently you have not complied with the deadline for this action, but you have been reminded to submit these returns on four occasions in previous Compliance Reports. The failure to submit all outstanding waste returns by the required date may result in NRW serving a legal notice to submit the waste returns. The failure to comply with a legal notice is an offence.

Action – Submit all outstanding waste returns for Calendar Years 2020, 2021 and 2022 (including Quarter 3 July to September) By 31 October 2022

G4 - Reporting and notification to Natural Resources Wales – Permit Condition 4.3.4

You have been given this Action Only breach under the above condition because you have yet to vary your permit to update the registered office address of the business following the buy-out of the company in 2020.

Action – Submit an application to vary the permit to update the company information as required by this permit condition By 31 December 2022

Other general observations/comments

With regards to non-compliances, please refer to Page 24 of “How to Comply with Your Environmental Permit” on what actions to take following notification of non-compliances. Enforcement action for the pollution of the watercourse is being carried out as a direct breach of the Environmental Permitting Regulations 2016 under water quality legislation, rather than as part of site compliance. Please note that the failure to comply with the compliance actions set out above, especially with regards actions which are to prevent pollutants entering the watercourse, may result in NRW taking further enforcement action as a failure to comply with this compliance report.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

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.