

Compliance Assessment Report CAR_NRW0042946

Permit being assessed: BV9667IV.

For: Carmarthen EPR/BV9667IV, **held by:** ForFarmers Limited

At: ALLTYCNAP ROAD JOHNSTOWN , CARMARTHEN, CARMARTHEN, DYFED, SA31 3RD.

Type of assessment: Site Inspection,

Reason: Routine.

On: 30/11/2023 between 10:00 and 13:30.

Parts of permit assessed: Routine Site Visit.

NRW Lead Officer: Daniel Packer, accompanied by Michael Launder.

Report sent to: Jeff Davies, Operations Manager, on 11/01/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	Assessed (A)	
IR2B - Operations - The site	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR2E - Operations - Improvement programme	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
0	0

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
IR2E	Operator to review the production capacity used to inform the permit application and submit to Natural Resources Wales a response to Improvement Condition 7.	16/02/2024

Compliance 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

Introduction

This CAR form is issued in response to a site familiarisation visit carried out by Michael Launder and Daniel Packer on 30th November 2023. Attendees to the visit were:

- Daniel Packer - Senior Industry Regulation Officer, Natural Resources Wales
- Michael Launder - Lead Specialist Industry Regulation Team, Natural Resources Wales
- Leigh Williams - ForFarmers - Compliance Development Lead
- Jeff Davies - ForFarmers - Operations Manager
- James Thomas - ForFarmers - Production Manager

The purpose of the visit was an introduction to the new site-specific lead for Natural Resources Wales, Daniel Packer and to gain an understanding of the production process on site.

During the visit, the operator outlined the steps of the production process, including:

- raw material intake
- raw material storage
- weighing
- grinding, mixing, and pressing
- cooling
- finished product handling, packaging, and storage

The site has four emission points to air associated with the coolers, and the air leaving the coolers are channelled through individual cyclones to remove dust before emission to air.

Photo of cyclone units and emission points from roof



The other emission points to air with associated emission limit values are from the grinding process, but these emission points were not visited.

Medium Combustion Plant Boiler

During the visit, the site boiler was inspected. The site currently operates 1.8 MW natural gas fuelled boiler for steam generation. This is listed in the permit as a Directly Associated Activity (Schedule 1, Table 1.1, A2).



Photo – boiler with 1771kW input written on the plate.

Under current permitting requirements, the installation permit will need to be varied before 1 January 2029 to include the new compliance requirements (including Emission Limit Values) of the Medium Combustion Plant Directive.

Improvement Conditions

The current version of the permit (EPR/BV9667IV /V003) includes an improvement condition (IC), which was discussed during the visit. The outstanding improvement condition, IC7 requires the Operator to:

- (a) The Operator shall submit to NRW the maximum capacity of the installation that was used in the most recent risk assessment submitted to NRW.
- (b) The Operator shall submit to NRW for approval the maximum capacity of the installation at the current time.
- (c) If the maximum capacity of the installation has increased from the time of the last submitted risk assessment and the current time, the Operator shall review and update the risk assessment to account for the current maximum capacity. The risk assessment shall be submitted to NRW for review.

Natural Resources Wales have supplied the operator with original permit application (*BOCM Pauls, 2005*), including the H1 Risk Assessment undertaken at the time and production capacity used to inform it.

Action: Operator to review the production capacity used to inform the permit application and submit to Natural Resources Wales a response to Improvement Condition 7.

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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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.