

Compliance Assessment Report CAR_NRW0043425

Permit being assessed: CB3395CX.

For: Ystum Colwyn AD, **held by:** Ystum Colwyn Farms Ltd

At: Ystum Colwyn, Meifod, Powys, SY22 6XT.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2023.

Parts of permit assessed: See report.

NRW Lead Officer: Kathryn Bradshaw.

Report sent to: Ed Gittins, Owner , on 20/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4B - Information - Reporting	C4 No impact	4.2.1 The operator shall send all reports and notifications required by these standard rules to Natural Resources Wales using the contact details supplied in writing by Natural Resources Wales in accordance with table 4.2.
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3E - Emissions and monitoring - Monitoring	Assessed (A)	
IR1A - Management - General management	Action only (X)	
IR4B - Information - Reporting	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
1	0.1

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
IR4B	Ensure annual monitoring is reported by 31st January 2025	31/01/2025
IR1A	Provide a copy of the sites Environmental Management System	29/03/2024
IR4B	Report on all the parameters as per Permit Condition 4.2 Table 4.2 or if they don't apply, inform NRW	29/03/2024

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

This Compliance Assessment Report (CAR) has been raised in relation to the annual monitoring and reporting requirements of the permit.

The 2023 air emissions report was submitted on 9th February 2024. This is in breach of Permit Condition 4.2.1, Table 4.2 which specifies the deadline date as 31st January 2024. This was also referenced in a previous CAR form NRW0041121.

Score

C4. Permit Condition 4.2.1, Table 4.2.

The reported emissions from Engine 1 and 2 emission points were in compliance with the emission limit values (ELV's) detailed in Table 3.1.

No other reporting information has been provided for the site as per Permit Condition 4.2, Table 4.2.

For future reference the new standard rules permit that is now applicable to yourselves contains the following reporting requirements detailed in Table 4.2:

Parameter	Emission or monitoring point (reference)	Report frequency
Emissions from the combustion plant	In accordance with rule 3.1	By 31 January of each year
Efficiency of biofilter and other abatement systems	In accordance with rule 3.5	By 31 January each year detailing the removal

		efficiency of all abatement systems and planned maintenance (in accordance with rule 3.3.1)
Digester process and gas production process monitoring	In accordance with rule 3.5	Summary reports - quarterly during the first year then yearly thereafter or as agreed with the Natural Resources Wales
Digester tank integrity	In accordance with rule 3.5	5-yearly from the date of commission or as per the manufacturer's recommendation, whichever is sooner
Under and over pressure relief systems	Inspection and calibration maintenance in accordance with rule 3.5	Yearly summary report of over-pressure and under-pressure events detailing mass balance release
Leak detection and repair	Inspection calibration and maintenance	Yearly summary report by 31 January
Use of auxiliary flare burning surplus biogas	In accordance with rule 3.5	Submit a report of flare usage by the 31 January each year. Note: you are not required to report routine maintenance testing of flares for short periods, but they should be clearly documented
Non-compostable contamination removal efficiency	In accordance with rules 2.3 and 2.4	By 31 January each year, submit a report detailing contamination removal efficiency and progress with plastic reduction contamination
Waste returns	In accordance with rule 4.2.2	Within one month of the end of each quarter
Recovered outputs	In accordance with 4.2.3	Within one month of the end of each quarter

Action

1) Ensure that all of the above parameters are reported to NRW or if they don't apply, inform NRW by 29th March 2024

2) Provide a copy of the sites Environmental Management System (EMS) by 29th March 2024.

The site EMS was previously requested in CAR form NRW_0042572 and has still not been provided.

Q4 Waste Returns

Waste returns for quarters 3 and 4 of 2023 have been received for the site as required by permit condition 4.2.2. The waste returns were reviewed and there were no issues identified. The total waste received was below the permitted limit of 100,000 tonnes

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.