

Compliance Assessment Report CAR_NRW0045238

Permit number	AB3092ZE	Operator name	Bryn Power Limited
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Site name	Bryn Power Limited
Site address	Gelliargwellt Farm Anaerobic Digester Facility, Gelliargwellt Farm, Gelligaer, Hengoed, CF82 8FY
Assessment type	Check Monitoring/Sampling

Date of assessment	11 September 2024	Time in	09:45	Time out	11:20
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Parts of permit assessed	Condition 3.3.1 only
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NRW Lead officer	Guy Baskerville	Accompanied by	N/A
Report sent to – Name and position	[REDACTED] AD Plant Manager	Date	19 September 2024

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
IR3C - Emission and Monitoring - Odour	Assessed or assessed in part (A)	3.3.1

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

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

2. What action is required?

Criteria	Action needed	Complete by
N/A	N/A	N/A

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 prosecutions and/or suspension or revocation of your permit.

4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record the findings of an off-site odour survey undertaken by Natural Resources Wales (NRW) locally to Bryn Power Limited, Gelligaer.

Attendees:

Natural Resources Wales

Guy Baskerville [Senior Industry Regulation Officer]

Bryn Power Limited

N/A

Regulatory Context

Concerns in relation to perceived odour emissions from the activities undertaken at the installation have been raised for many years and remain a key concern of local residents and community leaders.

Condition 3.3.1 of the environmental permit states:

Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

The appropriateness of the measures to prevent and/or minimise odour, as detailed in the operator's odour management plan, will be assessed as part of our routine compliance programme.

Between 09:45 AM and 11:20 AM on 11 September 2024, Guy Baskerville undertook an odour survey locally to Bryn Power Limited, at locations across Gelligaer, Nelson and Penybryn.

The operational status of the anaerobic digestion plant and the associated waste reception hall during the survey period was unknown. The operator was not made aware that the survey was being undertaken, but the findings of the survey were shared with the operator at its conclusion.

During the survey period the observed weather was dry and overcast with moderate to strong winds.

The results of the odour emissions survey are presented in *Table 1*.

Survey locations and weather station locations, relative to Bryn Power Limited, are presented in *Figure 1*.

Weather data collected from the two nearest weather stations (Weather Station ID ITREHA4 and IHENGO3) during the survey period is presented in *Table 2* and *Table 3*.

Table 1. Emissions survey results			
Location	National grid reference	Time	Observations
1	ST 14305 96651	09:45 – 09:55	No odour observed
2	ST 13024 96819	10:00 – 10:10	No odour observed
3	ST 13562 96837	10:15 – 10:25	Moderate persistent bitumen/hydrocarbons odour.
4	ST 11395 96679	10:35 – 10:45	Mild transient cut grass/agricultural odour
5	ST 11749 95500	10:55 – 11:05	No odour observed
6	ST 13578 95939	11:10 – 11:20	No odour observed

Figure 1. Survey locations relative to Bryn Power Limited

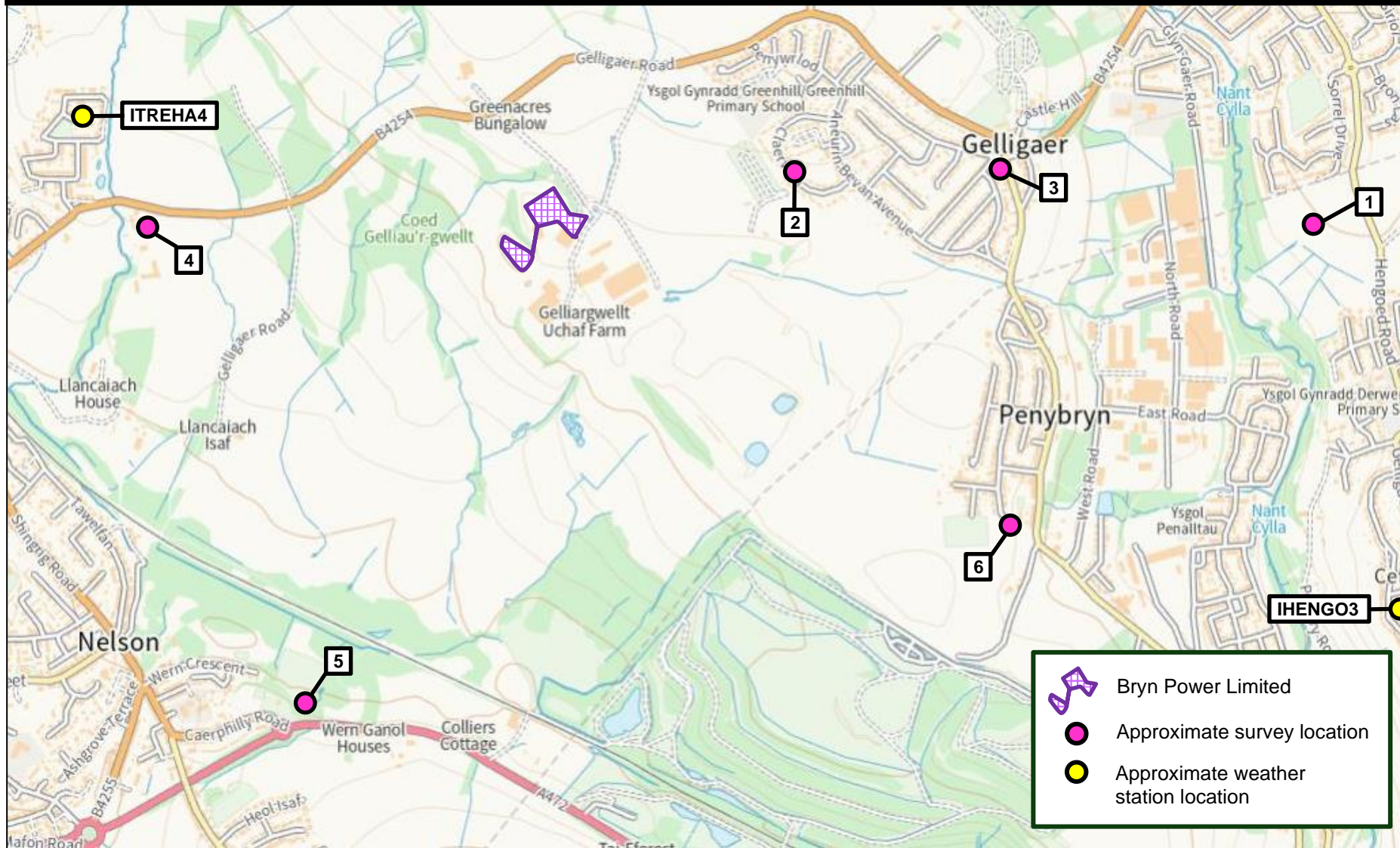


Table 2. Weather data collected from Weather Station ITREHA4 during the survey period

Time	Temperature	Humidity	Wind Direction	Wind Speed	Pressure	Precip. Rate
9:44 AM	50.9 °F	82 %	NNW	5.3 mph	29.91 in	0.00 in
9:49 AM	51.0 °F	81 %	No data	5.8 mph	29.91 in	0.00 in
9:54 AM	51.3 °F	80 %	No data	3.9 mph	29.91 in	0.00 in
9:59 AM	51.6 °F	81 %	NNW	4.2 mph	29.91 in	0.00 in
10:04 AM	51.8 °F	80 %	NNW	5.2 mph	29.91 in	0.00 in
10:09 AM	51.9 °F	80 %	NNW	5.3 mph	29.91 in	0.00 in
10:14 AM	52.0 °F	80 %	No data	2.5 mph	29.91 in	0.00 in
10:19 AM	52.3 °F	79 %	NNW	6.0 mph	29.91 in	0.00 in
10:24 AM	52.4 °F	78 %	North	3.6 mph	29.91 in	0.00 in
10:29 AM	52.5 °F	77 %	NNW	4.8 mph	29.91 in	0.00 in
10:34 AM	52.5 °F	78 %	NW	6.6 mph	29.91 in	0.00 in
10:39 AM	52.5 °F	78 %	NNW	4.0 mph	29.91 in	0.00 in
10:44 AM	52.3 °F	77 %	NW	3.6 mph	29.91 in	0.00 in
10:49 AM	52.6 °F	75 %	NNW	2.5 mph	29.91 in	0.00 in
10:54 AM	53.0 °F	74 %	NW	4.4 mph	29.91 in	0.00 in
10:59 AM	53.6 °F	74 %	West	1.4 mph	29.91 in	0.00 in
11:04 AM	53.7 °F	75 %	NNW	2.4 mph	29.91 in	0.00 in
11:09 AM	53.9 °F	76 %	NNW	2.2 mph	29.91 in	0.00 in
11:14 AM	54.0 °F	74 %	NNW	3.2 mph	29.91 in	0.00 in
11:19 AM	54.2 °F	74 %	NW	3.1 mph	29.91 in	0.00 in

Table 3. Weather data collected from Weather Station IHENGO3 during the survey period

Time	Temperature	Humidity	Wind Direction	Wind Speed	Pressure	Precip. Rate
9:44 AM	49.6 °F	86 %	WNW	4.8 mph	29.21 in	0.00 in
9:49 AM	49.8 °F	85 %	WNW	4.9 mph	29.21 in	0.00 in
9:54 AM	49.9 °F	85 %	WNW	3.9 mph	29.21 in	0.00 in
9:59 AM	50.2 °F	84 %	West	4.4 mph	29.22 in	0.00 in
10:04 AM	50.3 °F	85 %	WNW	4.4 mph	29.22 in	0.00 in
10:09 AM	50.3 °F	85 %	WNW	4.2 mph	29.21 in	0.00 in
10:14 AM	50.6 °F	84 %	West	4.6 mph	29.21 in	0.00 in
10:19 AM	51.5 °F	83 %	NW	4.8 mph	29.21 in	0.00 in
10:24 AM	51.4 °F	82 %	West	5.8 mph	29.22 in	0.00 in
10:29 AM	51.6 °F	80 %	NW	4.1 mph	29.22 in	0.00 in
10:34 AM	52.1 °F	80 %	West	4.3 mph	29.22 in	0.00 in
10:39 AM	52.0 °F	80 %	West	5.0 mph	29.22 in	0.00 in
10:44 AM	51.6 °F	81 %	WSW	4.2 mph	29.22 in	0.00 in
10:49 AM	52.0 °F	80 %	NW	4.7 mph	29.22 in	0.00 in

10:54 AM	52.3 °F	78 %	West	5.6 mph	29.21 in	0.00 in
10:59 AM	52.6 °F	78 %	WNW	5.2 mph	29.22 in	0.00 in
11:04 AM	52.3 °F	79 %	West	5.3 mph	29.22 in	0.00 in
11:09 AM	52.4 °F	80 %	WSW	5.1 mph	29.22 in	0.00 in
11:14 AM	52.3 °F	78 %	NW	5.0 mph	29.22 in	0.00 in
11:19 AM	52.7 °F	78 %	WNW	4.9 mph	29.22 in	0.00 in

Conclusion

No malodours, consistent with those which may be generated by the activities undertaken at the installation, were observed at any of the survey locations during the survey period. A moderate persistent bitumen/hydrocarbons odour was observed at survey location 3. The bitumen/hydrocarbons odour source was not identified, but building maintenance activity was observed at a nearby domestic property. A mild transient cut grass/agricultural odour was observed at survey location 4. The cut grass/agricultural odour source was not identified but, given the rural setting, it would be impossible to isolate any single source.

No amenity complaints in relation to perceived odour emissions from the activities undertaken at the installation were received by NRW on the day of the odour survey.

The outcome of the survey was shared with the operator at its conclusion, during a brief visit to the installation. The AD Plant Manager was not present during the visit, but operator representatives confirmed that the waste reception hall and anaerobic digestion plant was operational during the survey period. The inspecting officer observed waste transfers arriving at the reception hall during the visit.

[END]

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):

9B Assessment result	10B Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

11B Non-compliance category	12B Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

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 – 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.