

Compliance Assessment Report CAR_NRW0045109

Permit being assessed: AB3098ZL.

For: Burton Meadows Farm, **held by:** Paul Billington

At: Burton Meadows Farm, Llyndir Lane, Burton, Rossett, Wrexham, Wrexham, LL12 0AS.

Type of assessment: Audit,

Reason: Routine.

On: 03/09/2024.

Parts of permit assessed: See below.

NRW Lead Officer: Libby Hughes.

Report sent to: Paul Billington, Operator, on 24/09/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2C - Installations - Operations - Operating techniques	C3 Minor	Permit conditions 2.3.2 and 2.3.3
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	Permit condition 4.2.2 (c)
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C2 Significant	Permit condition 2.4.1; Permit condition 3.2.3

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

Total non-compliances recorded	Total non-compliance score
3	39

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
IR2C	Produce a full record of all pig movements since 1 October 2018. Produce a full record of slurry export including date, location and quantities since 1 January 2024.	11/10/2024

Criteria	Action needed	Complete by
IR3A	Submit your 2023 data for Ammonia, Nitrogen and Phosphorus levels	11/10/2024
IR3B	Complete outstanding Improvement Conditions.	01/11/2024

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Further to CAR_NRW0044579 some information has been provided to NRW in response to the actions, however more information is required.

Slurry Management Plan

Action 1: Provide a complete record of where your slurry has been taken since 1st January 2024, until the slurry lagoon is completely empty. including all destinations, dates and quantities

You have provided a slurry management plan, detailing the regular checks which will be carried out to ensure that the lagoon does not overtop, and that no pollution will discharge into the ditch.

Action 2: Set up a daily checklist to show that these checks are being carried out. Submit the checklists to NRW on a monthly basis until further notice.

Pig Numbers / Records of Pig Movements

Action 3: Provide a full record of all pig movements on and off the farm since 1 September 2018.

Ongoing discussion with NRW suggest that you are considering giving up your Intensive Pig Permit, but continuing with pig production at lower stocking numbers. An updated EMS has been provided which indicates that only unit 9 is now used for pig production.

Action 4: Provide calculations to determine maximum pig occupancy in each of the 21 separate sections in Unit 9.

Condition report required on Surface Water Drainage system

You have provided a slurry management plan, which states "we now class all liquids off the concrete yards as slurry"

You have also stated that "Only roof water that goes through pipes (Drains) can go to ditch"

You have provided a map to show the surface water drains. This map does not correlate with the two statements provided above. Please show where the roof water is going. If you are saying that the current surface water drains are now being reclassified as a dirty water system, please provide a map which shows this.

An outstanding Improvement Condition on your permit IC1 requires the operator to submit a report to NRW detailing the full extent of the on-site drainage infrastructure. This report will include the outcome of the site survey and investigation. This was supposed to have been sent to NRW by November 2016 and from our records nothing appears to have been received to date.

The pollution incident which occurred in February 2024, where a ditch full of black odorous liquid was observed coming out of the surface water drainage system is detailed in CAR form CAR_NRW0043441.

Further concerns were raised in Car form CAR_NRW0044579 that there might be some cross-contamination between the clean and dirty water.

Having a robust and up to date drainage plan is integral to the management of any site and for the purposes of surrendering the permit it is essential that you can demonstrate the following:

1. prove the clean water is clean
2. prove that the underground tanks are sound, and are not leaking into the clean water drainage system.
3. prove that the dirty water is contained.

This will be required to satisfy a permit surrender. Please note that NRW is currently considering serving a Notice to cover this issue.

Action 5: Arrange for a suitably qualified company to carry out a site survey and investigation of all onsite drainage, and produce a report of their findings. Provide NRW with a copy of their report.

PRTR Reporting

PRTR Reporting of Ammonia, Nitrogen and Phosphorus has not been received for 2023 for your ammonia, nitrogen and phosphorus emissions. Please ensure that you submit these as soon as possible.



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.