

Compliance Assessment Report CAR_NRW0049874

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: Report/Data Review,

Reason: Routine.

On: 06/11/2025.

Parts of permit assessed: Storage, TCM .

NRW Lead Officer: Malcolm Dines.

Report sent to: Roger Hughes, Director, on 07/11/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C3 Minor	1.1.4
W2C - Waste - Operations - Operating techniques	C3 Minor	2.4.1

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

Total non-compliances recorded	Total non-compliance score
2	8

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
W1A	Submit copies of the primary qualification and, if necessary, the Continuing Competency certificate of a suitably qualified manager(s) and the date(s) which they started at Argoed Farm AD site	21/11/2025
W2C	Provide evidence that the digestate lagoon has been designed and constructed in accordance with CIRIA C759	21/11/2025

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.

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 review of data was undertaken by Malcolm Dines (Waste Regulation Officer) following the expiration of the deadline for two actions issued on compliance report CAR_NRW0049580, neither of which were complied with by the required deadline of 3 November 2025

Permit Breaches

W1A - General Management - Category 3; Permit Condition 1.1.4

You have been given this Category 3 breach under the above permit condition because you have failed to submit copies of the primary qualification and, if necessary, the Continuing Competency certificate of a suitably qualified manager(s) and the date(s) which they started at Argoed Farm AD site, as required by compliance report CAR_NRW49580.

This requirement was discussed during the compliance visit on 4 September 2025, when you stated that the aim was to re-start the digester before the end of October 2025. Following an email from your consultant, Tom Corbett of Hillgreen Energy Ltd on 30 September 2025 that contained information requested during the compliance visit, I sent Mr. Corbett an email on 8 October 2025, reminding him that I still needed details of the person or persons that would be providing Technical Competence Cover at the site. This was then included as an action in the Compliance Report (CAR_NRW0049580) that I sent to yourself and Mr. Corbett on 24 October 2025 to summarise the compliance visit and subsequent information that was provided.

Action: submit copies of the primary qualification and, if necessary, the Continuing Competency certificate of a suitably qualified manager(s) and the date(s) which they started at Argoed Farm AD site **by 21 November 2025**

W2C - Operating Techniques - Category 3; Permit Condition 2.4.1

You have been given this Category 3 breach under the above permit condition because you have failed to provide evidence that the digestate lagoon has been built in accordance with CIRIA C759, as required by compliance report CAR_NRW49580.

In my email to your consultant, Tom Corbett of Hillgreen Energy Ltd, dated 8 October 2025,

I explained that digestate must be stored within containers or lagoons that should be of a design and capacity fit for purpose and that Natural Resources Wales consider that "fit for purpose" means that the storage lagoon must be constructed to CIRIA C736 standards and currently I have not been provided with any information to demonstrate that this is the case.

As the lagoon is already in use, the documentation to demonstrate compliance with this permit condition should be easily available. Please provide this information **by 21 November 2025**.

Other matters

I received an email from Mr. Corbett on 24 October 2025 in response to the compliance report, in which he stated, "As you would expect there are some actions on your list that have already been actioned but instead of coming back to you with multiple iterations we will complete everything and then come back to you by the end of November".

While some of the actions set out on the compliance report had a deadline of 30 November 2025, the above two permit breaches required a response by 3 November 2025. It is not acceptable to say you will provide this information to a timescale that suits yourself and in addition, you have not specified which actions on the compliance report you have completed. To operate the digester, you must have a suitably qualified person managing the site and as you stated that you intended to start operating the digester by the end of October and have not contacted me to state otherwise, you must demonstrate that you are compliant with your permit. This also applies to the lagoon along with the requirement that the lagoon is fit for purpose as it has already been used to store digestate.

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

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 Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – 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.