

Compliance Assessment Report CAR_NRW0050271

Permit being assessed: AB3791FG.

For: The Maesydd, **held by:** Maesydd Biogas Ltd

At: Pool Quay, Pool Quay, Welshpool, Powys, SY21 9LA.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 02/01/2026.

Parts of permit assessed: Stack Emission Monitoring, Waste Returns; Management System.

NRW Lead Officer: Malcolm Dines.

Report sent to: Haydn Langford, Director, on 17/04/2026.

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	1.1.1
W3A(2) - Waste - Emissions and monitoring - Emissions to air	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	4

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 an updated management system that reflects current activities and operations at your site, and specifically to ensure that the following are addressed: <ol style="list-style-type: none"> 1) Requirement to undertake Stack Emission Monitoring and to notify Natural Resources Wales of any breaches. 2) Waste Returns 3) Storage and loading of cattle slurry and chicken manure 	10/05/2026

Criteria	Action needed	Complete by
	4) Storage of liquid and solid digestate 5) Site inspection and maintenance routines including keeping records 6) Process monitoring system, including recording and retaining data to show long-term trends of your AD process. 7) Records of Auxiliary Flare operation and maintenance	
W3A(2)	As per Section 4.6.4 of the guidance document, "Guidance for monitoring landfill gas engine emissions LFTGN08 v2 2010", please submit information on how they'll reduce uncertainty will be reduced on subsequent monitoring	10/05/2026

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 carried out by Malcolm Dines (Waste Regulation Office) following the submission of your Stack Emission Monitoring Reports for 2024 and 2025 as required by Compliance Report (ref: CAR_NRW0049030) sent to you by email on 28 August 2025.

This compliance report has been edited following a site meeting on 10 March 2026 and a subsequent review of the emissions monitoring. My review showed that I had incorrectly identified breaches of the permitted emissions limits and so have re-assessed compliance.

Permit Breaches

W1A - General Management - Cat 3; Permit Condition 1.1.1

You have been given this category 3 breach under the above permit condition because you failed to submit an updated Environmental Management System by 31 December 2025 as required by compliance report (ref: CAR_NRW0049918), which was sent to you as you failed to submit an updated management system by 31 October 2025 as required in Compliance Report (ref: CAR_NRW0049030) dated 28 August 2025. On 4 November, in reply to your email submitting your stack emission monitoring, I asked whether you had submitted your management system. Your reply the same day stated that you were working on it and that you would send it to me by the end of the week (9 November 2025).

You have still not submitted your revised management system. If you fail to comply with this compliance action I will consider serving a notice to require you to provide this document.

Action: Review and update your management system to ensure that it reflects current activities and operations at your site, and specifically to ensure that the following are addressed:

- Requirement to undertake Stack Emission Monitoring and to notify Natural Resources Wales of any breaches.
- Waste Returns
- Storage and loading of cattle slurry and chicken manure
- Storage of liquid and solid digestate
- Site inspection and maintenance routines including keeping records
- Process monitoring system, including recording and retaining data to show long-term trends of your AD process.
Records of Auxiliary Flare operation and maintenance

and to submit a copy of the updated management system to Natural Resources Wales **by 10 May 2026**.

Other Matters

W3A(2) - Emissions; Permit Condition 3.6.1

The stack emission monitoring for your gas engine for 2024 and 2025 were assessed using the document, "Guidance for monitoring landfill gas engine emissions LFTGN08 v2 2010". The results from the stack emission testing carried out on 5 September 2025 show a measured concentration of 1,117 mg/m³, which exceeds the emission limit for VOCs in Table 3.1 of your permit of 1,000 mg/m³. Taking into account the total allowable measurement uncertainty of 40%, this results in a Lower Confidence Limit of 670 mg/m³ which is below the emission limit therefore, this means that the result is Approach To Limit.

The results from the stack emission testing carried out on 8 February 2024 show a measured concentration of 643 mg/m³, which exceeds the emission limit for NO_x in Table 3.1 of your permit of 500 mg/m³. Taking into account the total allowable measurement uncertainty of 30%, this results in a Lower Confidence Limit of 450 mg/m³ which is below the emission limit, meaning the result is Approach To Limit.

Action: As per Section 4.6.4 of the guidance document, "Guidance for monitoring landfill gas engine emissions LFTGN08 v2 2010", please submit information on how they'll reduce uncertainty will be reduced on subsequent monitoring **by 10 May 2026**.

End of Waste

In Compliance Report CAR_NRW0046425 you were advised that you were carrying out two illegal waste activities: Operating Outside the Permit Boundary because you are storing liquid digestate in a tin tank outside the permit boundary; and spreading waste to land without a permit, because you were draining the chicken manure and slurry from the Dirty Calf Yard and the Lightly Trafficked Yard to the tin tank that you use to store the waste liquid digestate and you were then spreading this material to land as a fertilizer.

Natural Resources Wales have now published our Regulatory Guidance Note 23: *End of waste: Anaerobic digestate produced from anaerobic digestion of source-segregated biodegradable waste*, which states that,

*Natural Resource Wales will consider digestate from treated livestock manure and slurry to have **ceased to be waste without requiring certification to PAS110:2014** where the feedstock to the authorised Anaerobic Digestion plant is livestock manure and slurry only (EWC 02 01 06), or is only mixed with non-waste feedstock e.g. crops grown specifically for AD, provided that:*

- *you comply with the other requirements in section 2 of this guidance for certainty of use and record keeping (the last two listed bullet points in section 2)*
- *the digestate is used on agricultural land*
- *you can demonstrate and provide evidence that use of the digestate will not present a risk of causing environmental harm (section 3 and 4 of this guidance).*

Standard Rules

You should have recently received correspondence advising you that the Rules for your Permit have been updated. The new rule set includes Improvement Conditions with deadlines. Please ensure that you have read and understood the changes to your permit, I will be reviewing compliance with the improvement conditions later in the year.

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 2012

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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- W3A(2) – Emissions to air
- W3A(3) – Emissions to 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.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** 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.