

Compliance Assessment Report CAR_NRW0052495

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	Report/Data Review

Date of assessment	20 July 2026	Time in	N/A	Time out	N/A
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Parts of permit assessed	Improvement Programme
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NRW Lead officer	Guy Baskerville	Accompanied by	N/A
Report sent to – Name and position	[REDACTED] AD Plant Manager	Date	28 July 2026

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
IR2E - Operations - Improvement programme	Assessed or assessed in part, no evidence of non-compliance found. Action Only (X)	2.4.1

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
IR2E	The operator shall complete improvement condition ref. IC4 as specified in the improvement programme set out in Schedule 1 Table S1.3 of the environmental permit.	13/11/2026

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 Natural Resources Wales' (hereafter *NRW*) findings following an assessment of operator submissions to satisfy the improvement programme instated following publication of the Waste Treatment BAT (Best Available Techniques) Reference document.

N.B. During the determination of an environmental permit variation application, it was identified that there is no recorded assessment of the improvement programme submissions.

The European Commission published the Best Available Techniques (BAT) Reference document for the Waste Treatment sector (hereafter '*the BREF*') on 17 August 2018. The BAT Conclusions (hereafter '*BATc*') described therein determine the reference points used to set conditions in environmental permits which authorise waste treatment installations.

The varied and consolidated environmental permit issued to Bryn Power Limited (hereafter '*the operator*') on 10 June 2021 set an improvement programme comprising seven improvement conditions. These improvement conditions require the operator to evidence compliance with all relevant BATc. Where an operator is not currently compliant with a relevant BATc, the submission must comprehensively describe how compliance will be achieved by 17 August 2022.

Regulatory Context

Condition 2.4.1 of the environmental permit states:

The operator shall complete the improvements specified in Schedule 1 Table S1.3 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales

Table S1.3 of Schedule 1 to the environmental permit is partially reproduced below.

Table S1.3 Improvement Programme Requirements		
Ref	Requirement	Date
IC3	The operator shall submit to Natural Resources Wales a written procedure(s) describing how they intend to meet the following BAT requirements in accordance with requirements specified within BAT Conclusions of the Waste Treatment BREF Document (EU 2018): ○ BAT 1 vii. Following the development of cleaner technologies ○ BAT 1 viii. Whole life cycle considerations when designing a new plant i.e. impacts from eventual decommissioning and throughout its operating life ○ BAT 1 ix. Regular sectoral bench marking ○ BAT 1 xi. The inventory of waste gas stream (and BAT 3) ○ BAT 1 xii. Residues Management Plan ○ BAT 1 xiv Odour Management Plan (update to existing) ○ BAT 1 xv Noise and Vibration Management Plan	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC4	The operator shall submit to Natural Resources Wales a written procedure(s) in accordance with requirements specified within BAT Conclusions of the Waste Treatment BREF Document (EU 2018) in relation to: ○ BAT 3 (i)(a) The existing process flow diagram requires updating to include the emissions sources (scrubber and biofilter serving the waste reception building, de-packing building, the carbon filters and the gas vents on the lagoon)	17 February 2022 or otherwise agreed in writing with Natural Resources Wales

	○ BAT 3 (i)(b) The waste gas treatment description (scrubber and biofilters and carbon filtration systems) including performance information. ○ BAT 3 (iii) establish an inventory of waste gas (scrubber and biofilter serving the waste reception building, de-packing building, the carbon filters and the gas vents on the lagoon) to collate the information in accordance with BAT Conclusion 3 of the Waste Treatment BREF Document (EU 2018), including but not limited to average concentrations and load values of relevant substances.	
IC5	The operator shall submit to Natural Resources Wales a written procedure(s) in accordance with requirements specified within BAT Conclusions of the Waste Treatment BREF Document (EU 2018) in relation to: ○ BAT 21 a) protection measures (fire and explosion protection) ○ BAT 21 b) management of incidental/accidental emissions ○ BAT 21 c) incident/accident registration and assessment system.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC6	The operator shall submit to Natural Resources Wales a written procedure(s) in accordance with requirements specified within BAT Conclusions of the Waste Treatment BREF Document (EU 2018) in relation to: ○ BAT 23 a) an energy efficiency plan for monitoring and analysing performance against indicators. ○ BAT 23 b) energy flow information in an energy balance record showing how the energy is used throughout the process.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC7	The operator shall submit to Natural Resources Wales a written procedure(s) in accordance with requirements specified within BAT Conclusions of the Waste Treatment BREF Document (EU 2018) in relation to: ○ BAT 33 ensure suitability of waste input	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC8	The Operator shall submit for written approval a methodology for meeting the process parameters listed in table S3.3 (Schedule 3(b)) as per BAT 38 for the anaerobic treatment of waste. The methodology shall identify each of the process parameters and detail the frequency and techniques in place to record the data. Where a process parameter cannot be monitored justification should be provided and/or a suitable alternative proposed. The methodology should include trigger levels for each of the parameters with associated procedures in place if trigger levels are exceeded.	17 February 2022 or otherwise agreed in writing with Natural Resources Wales
IC9	The Operator shall submit a written report to Natural Resources Wales for approval detailing how the site will implement the latest version of 'Technical Guidance Note M9 Environmental monitoring of bioaerosols at regulated facilities dated July 2018 Version 2'. This assessment should specifically consider channelled emissions to air from the biofilter and the potential for bioaerosol releases. If your biofilter (open and closed biofilters) is within 250 metres of a sensitive receptor you are required to undertake and submit a site specific bioaerosol risk assessment (SSBRA) and any monitoring must be in line with 'M9: environmental monitoring of bioaerosols at regulated facilities'. The written report shall be submitted to Natural Resources Wales by 10 December 2021 and provide procedures and timelines for implementing the new methodology by 10 March 2022.	10 December 2021

Improvement Programme Compliance Assessment

Ref	Submission Date	Assessment Comments	Outcome
IC3	22 October 2021	The operator submitted a documents package comprising an Environmental Management System, Site Decommissioning Plan, Residues Management Plan, Odour Management Plan and Noise and Vibration Management Plan in response to IC3. These documents collectively address the requirements associated with BAT 1 relating to environmental management systems, whole-life-cycle considerations, residue management, odour management and noise and vibration management. While the submission addresses the majority of BAT 1 requirements identified within the improvement condition, evidence relating to regular sectoral benchmarking is less explicit. Development of the waste gas inventory, referenced in BAT 1(xi) is addressed in the assessment of IC4 below.	Complete
IC4	22 October 2021	The Odour Management Plan details odour abatement systems and measures, including biofilters, scrubbers, carbon filters, gas pressure management systems and the emergency flare. It also identifies several emission sources associated with the waste treatment process. However, the submission does not appear to contain a dedicated BAT 3 waste gas inventory. The response summary provided explicitly states: "An inventory of waste gas shall be obtained through stack monitoring which is to be arranged." No stack monitoring data, including average concentrations or pollutant load calculations, for all identified waste gas sources referenced within the improvement condition, has been submitted. Similarly, while process descriptions are provided, no updated emissions-focused process flow diagrams have been provided.	INCOMPLETE
IC5	22 October 2021	The operator submitted an Accident Management Plan addressing fire and explosion risks, accidental emissions, environmental incidents, emergency response arrangements and incident investigation procedures. The plan addresses prevention, response and recording arrangements and references incident reporting, investigation and review systems. The submission demonstrates compliance with BAT 21(a), 21(b) and 21(c) through documented prevention, mitigation and incident management procedures.	Complete
IC6	22 October 2021	The operator submitted an Energy and Efficiency Management Plan and Energy Flow Record. The Energy Management Plan establishes objectives, monitoring arrangements and performance review processes. The Energy Flow spreadsheet provides an energy balance identifying biogas input, energy outputs, losses and parasitic consumption.	Complete

		The submission demonstrates both an energy efficiency planning framework and an energy balance record showing how energy is used throughout the process.	
IC7	22 October 2021	Waste acceptance, pre-acceptance and rejection arrangements are described within the submitted Environment Management System and Odour Management Plan. The procedures establish waste characterisation requirements, supplier information requirements, inspection requirements and rejection criteria. The submission adequately addresses BAT 33 requirements relating to waste input suitability	Complete
IC8	22 October 2021	The Process Monitoring Methodology identifies process parameters, monitoring frequencies, monitoring techniques, critical limits and corrective actions for feedstock, digestion, biogas production and site water management systems. Monitoring is supported through SCADA systems, laboratory analysis and operational inspections.	Complete
IC9	22 October 2021	A Bioaerosol Report was submitted addressing implementation of M9 guidance, identification of bioaerosol sources, sensitive receptors and proposed monitoring arrangements. Additionally, the submitted response summary confirms that monitoring arrangements were developed with reference to 'M9: environmental monitoring of bioaerosols at regulated facilities'.	Complete

Conclusion

The evidence submitted appears sufficient to demonstrate compliance with IC5, IC6, IC7, IC8 and IC9 and largely addresses the requirements of IC3.

However, IC4 appears to remain only partially addressed. While descriptions of emissions control systems and waste gas treatment measures have been provided, no completed BAT 3 waste gas inventory, supported by source-specific emissions data, average concentrations and load values, has been provided. The submissions indicate that the waste gas inventory was intended to be produced through future monitoring, but this does not appear to have been undertaken.

Action 1: The operator shall complete improvement condition ref. IC4 as specified in the improvement programme set out in Schedule 1 Table S1.3 of the environmental permit.

[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):

Assessment result	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

Non-compliance category	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(1) - Emissions to water
- IR3A(2) - Emissions to air
- IR3A(3) - Emissions to 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.