Compliance Assessment Report

Report ID:
CAR_NRW0033840

This form will report compliance with your permit as determined by an NRW officer					
Site	A D Plant	Permit Ref	MB3190HG		
Operator/Permit holder	Edith Parry				
Regime	Waste Operations				
Date of assessment	16/08/2018	Time in	10:00	Out	10:50
Assessment type	Site Inspection				
Parts of the permit assessed	1.1 General Management				
Lead officer's name	Starks, Madeleine				
Accompanied by	Rees, Aled E.				
Recipient's name/position	Lucy Downes/ TCM	Date issued	21/08/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	**CCS Category**	**Condition(s) breached**

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	**0**	**Total compliance score** (see section 5 for scoring scheme)	0

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

On Thursday 16th of August Environment Officers Madeleine Starks and Aled Rees conducted a routine site inspection at Warren Farm, with a focus upon condition 1.1 General Management. The weather conditions were fine, dry and partially cloudy. We were met on site by the Technically Competent Manager (TCM) for the site, Lucy Downes, and David and Tricia Parry, the site operators.

Lucy Downes has taken over from Matthew Mansell as TCM. I have confirmed Lucy Downes has an up-to-date Continuing Competency Certificate. There was evidence in the site diary that Lucy has recently attended site in her role as TCM.

Initially Lucy showed us around the site and explained the process. Lucy was extremely knowledgeable about the plant and clearly demonstrated a good working knowledge of the site's operations. The anaerobic digestor (AD) infrastructure is contained within a bunded area which benefits from sealed drainage system (Image 1). A large proportion of surface water is fed into the digester, due to the feedstock being very dry. The drainage from the silage clamps tilts towards a drain which also feeds back into the sealed system, with any excess stored in a sealed tank, as per permit condition 2.4.1.



Image 1 – AD Plant equipment within the bunded area.

Digestate and excess effluent not re-fed into the process is spread to land, all of which is owned by David Parry. David employs an agronomist to calculate and monitor spreading quantities and weights and conduct soil analysis to ensure overspreading does not occur.

Prior to our meeting Lucy provided me with the documentation for the Environmental Management System for the site. Overall the documentation was extremely thorough, with an in-depth risk assessment conducted and procedures in place with regards to complaints, accidents and emergencies and fire risk. In

addition, there are both noise and odour management plans and a lightning strike risk assessment. Copies of these are stored both as a hardcopy on site, on the site's computer and held by Lucy at Evolution BioGas.

The site has not received any complaints with regards to either noise, odour or pests. No issues were observed on site with regards to noise, odour or pests during our visit.

Site maintenance records were thorough and up to date, showing records of all routine inspections and actions arising from these. A flare record was in place, recording both the duration and reason behind the use of the flare.

Advice and Guidance

With regards to the EMS documentation, there were a small number issues to be addressed:

Environment Agency documents / references

Please remove all outdated Environment Agency documents and references from the EMS. Within several documents the Incidents Hotline number is incorrect and should be amended to 03000 653000. As mentioned on site, I have attached a copy of the NRW Standard Rules permit SR2012 No 10 (On-farm anaerobic digestion facility using farm wastes only, including use of the resultant biogas).

Please also add into the emergency plan and fire prevention plan to contact NRW in the event of an incident or emergency. Permit condition 2.4.1 (Reporting) requires you to notify NRW of any accident or emission not controlled by an emission limit which has caused, is causing or may cause a significant pollution.

Site Plan and Drainage Plan

Site drainage is partially indicated on several of the technical drawings of the site layout, however you may wish to consider including a simplified drainage plan/site plan in your EMS. This will ensure the plan is accessible and quick to interpret in the event of an incident, which may require the Fire and Rescue service to understand the options available for the containment of firewater. It may also be beneficial to indicate on either the site plan or drainage plan the location of any fire equipment and spill kit held on site, as mentioned elsewhere within your EMS.

Hazardous Waste

As mentioned in our previous Compliance Assessment Report (CAR) form issued by Liz Park on 6th October 2015, if it is expected that you will produce more than 500kg of waste oil from the Combined Heat and Power (CHP) engine, then you are required to register as a Hazardous Waste Producer. My apologies, as I incorrectly indicated to you that this would be free of charge. There is a £18 fee associated with registrations. Registrations last for one year and you can renew a registration up to one month before it expires. The fees charged for registrations purely cover our administration costs and so we are unable to refund incorrectly registered sites. More information on how to register can be found on our website at:

https://naturalresources.wales/permits-and-permissions/waste/register-as-a-producer-of-hazardous-waste/?lang=en

You mentioned on site that you no longer felt that you would be producing over 500kg of oil annually. Please could you confirm as soon as possible, but no later than Monday 17th September, that you are confident you will not be exceeding the 500kg limit and will be considered exempt. If this is not confirmed, please can you ensure that you are registered by this date. NRW may choose to audit your Waste Transfer Notes and Hazardous Waste Consignment Notes during future inspections to check quantities of oil produced.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0033840**

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Operator/Permit holder	Edith Parry	Date	16/08/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	**CCS Category**	**Action required/advised**	**Due Date**
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.