

**This form will report compliance with your permit as determined by an NRW officer**

Site	Evenjobb Poultry	Permit Ref	CP3037MC	
Operator/Permit holder	PM Davies & Son			
Regime	Installations			
Date of assessment	21/03/2019	Time in	13:00	Out 14:30
Assessment type	Site Inspection			
Parts of the permit assessed	All			
Lead officer's name	Rees, Aled E.			
Accompanied by				
Recipient's name/position	Mr Edward Davies/ Operator	Date issued	01/04/2019	

### 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
C4 - General Management - Storage, handling labelling and Segregation	C3	1.4 Avoidance, recovery and disposal of wastes produced by the activities

**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.

<b>Number of breaches recorded</b>	<b>1</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>4</b>
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**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

Many thanks for your time during the inspection on 21/03/2019. There was however one significant non-conformance which has been scored as a breach (Category 3 - A non-compliance which could have a minor environmental effect).

The ash as an output from the biomass boilers is being placed in close proximity to surface water. As I was informed on site, the ash by-product from the biomass boilers has been placed between house 4 and the watercourse for many years and a significant quantity has established in a large pile. The pile is also being added to with all newly produced ash. The location of the waste presents a significant environmental risk being in close proximity to the watercourse at the edge of the site boundary. We require it to be moved from this location as a matter of urgency and that procedures of storage, disposal or use are put in place for the future. You have the following options:

1. Dispose of the waste at a registered waste site in which accepts the waste code related to the waste ash. Please be aware, we will require evidence of this once disposed of and during future audits;
2. A registered waste carrier can take the ash off site and apply to the land in accordance with a Mobile Plant for Landspreading permit. We would ask for evidence of this during the audits.
3. Ash from woodchip boilers can be spread to land to confer agricultural benefit. However, as it is a List B waste (100101 - poultry litter ash, paper sludge ash and ash from a woodchip boiler), you will only be permitted to do this with authorisation via a Standard Rules Mobile Plant for Landspreading permit. A application must be submitted, approved and a permit issued by Natural Resources Wales prior to applying the waste to land.

**Please consider the above options and let me know ASAP of your intentions. Please ensure that you let Natural Resources Wales know ASAP and we expect the waste to be removed off site by 1st June 2019.**

### Advisories

1. Raw Materials list - Please provide more detail in the raw materials list relating to where each material is being stored and what provisions are there to reduced environmental fate and impact.
2. Please consider collision barriers for the vulnerable feed silos. This may be achieved by the provision of kerbs, markers or barriers.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0034871**

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### 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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### 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			
C4	C3	The ash must be removed through either: (a) a registered waste site which accepts waste of the related waste code; or (b) spread to land which will require an application for a Mobile Plant for landspreading permit from Natural Resources Wales.	01/06/2019

## 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](mailto: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.