

Compliance Assessment Report CAR_NRW0037798

Permit being assessed: AB3096CP.

For: Lamby Way Open Windrow Composting Facility, held by Welsh Water Organic Energy (Cardiff) Limited

At: Lamby Way, Rumney, Cardiff, CF3 4EQ.

Type of assessment carried out: Report/Data Review, Reason: Other.

On 15/03/2021 - 19/03/2021.

Parts of permit assessed: Operating Techniques

NRW Lead Officer: Geraint Harris.

Report sent to: Adrian Thomas, Contract and Relationship Manager on 19/03/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
F1 - Amenity - Odour	Action only (X)	

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

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
F1	Bring the composting process undertaken at the site inline with current guidance	31/03/2021

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 prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

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

Welsh Water Organic Energy (Cardiff) Limited

EPR/AB3096CP

Friday 19th March 2021.

Many thanks for your revised plan received on the 15th March 2021. We acknowledge your intentions to reduce the windrow sizes to 6 metres as an initial step towards approaching the current industry guidance. We would however make the following comments, similar to those in our email sent on the 01/03/2021:

- The Oxygen levels should remain at >5% throughout the windrow. From the evidence we have seen it is below this and thus a likely source of the substantiated odours from the site.
- High temperatures for prolonged periods of time after thermal sensitisation may lead to an increase in the formation of odorous substances and ammonia. Temperature monitoring can also be used for controlling aeration. An optimal temperature for the process is between 55 °C and 70 °C. Where temperature profiles are allowed to increase to 70-80°C the production of ammonia will be unavoidable and can produce poor organic stabilisation and objectionable odours. Above this temperature chemical decomposition takes place which can produce undesirable malodorous materials and increase the risk of fire. Therefore, if a temperature of 70°C or above is required at sanitisation phase, the operator should ensure that the compost is only held at this temperature for the minimum period required. Where your current probe can pick up temperatures of over 70°C at a depth of 1.5metres, then it can be understood that the temperature at the very centre will be much greater. This further supports the need to reduce the windrow sizes.
- Going forward we expect to see recorded temperatures predominantly below 70°C on the batch monitoring forms.
- Whilst we appreciate your concerns over maintaining temperatures over 65°C with reduced windrow sizes. The guidance, which is the industry standard indicates it is possible and we would expect to see this applied on site.
- Furthermore, the other antagonistic effect with large windrows when turning, is that you are moving around a lot of material and could release considerable odours, whereas smaller windrows in addition to being less likely to go sub 5% O₂, involve less material disturbance and odour release.
- If you are unable to consistently demonstrate internal oxygen reading of >5% within your windrows we would request to seek further reductions in the size of your windrows.
- Going forward we ask for increased temperature and oxygen monitoring of your windrows to ensure compliance with the industry standards and to identify sooner when conditions are starting to turn malodorous.
- Furthermore, given the changeable wind patterns, we ask that you increase the number of wind and weather observations you make throughout the day to ensure any fugitive emissions are reduced as much as possible.
- We will arrange a future visit to inspect the windrow sizes and the associated monitoring mentioned above.

We understand that reflects a change from your current operating model and may take some iterations in order to find the most practical site arrangements. However, we expect all our permitted installations to constantly strive towards working within current industry guidance and to the Best Available Techniques stated within the Waste Treatment Ref. More specifically BAT 36. 'In order to reduce emissions to air and to improve the overall environmental performance, BAT is to monitor and/or control the key waste and process parameters'.

If we do not see a marked improvement in the monitoring result from the site, or should we begin to receive complaints again then we will score in accordance with our Compliance Classification Scheme guidance.

We are happy to provide further advice on this matter should it be of assistance and we look forward to your continued cooperation in achieving improvements on site.

End.

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.

What are suspended scores?

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

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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.