

Compliance Assessment Report CAR_NRW0038282

Permit being assessed: AB3094ZR.

For: Coomb Farm, held by Sion Davies

At: Coomb Farm, Llangynog, Carmarthen, Carmarthenshire, SA33 5HP.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 07/05/2021 between 11:15 and 13:00.

Parts of permit assessed: See Below

NRW Lead Officer: Michael Edwards.

Report sent to: Sion Davies, Operator on 14/05/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Action only (X)	
C3 - General Management - Materials acceptance	Assessed (A)	
B5 - Infrastructure - Plant and equipment	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor (Suspended)	3.1.2
C2 - General Management - Management system and operating procedures	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	0.1

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
C1	Ensure that a suitably qualified person is in place as required	30/07/2021

Criteria	Action needed	Complete by
	by the conditions of the permit.	
G4	Ensure that missing waste returns are submitted as required.	30/07/2021
G1	Ensure that annual monitoring is undertaken to the standards set in Table 3.1	30/07/2021

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

Arranged site inspection of Coomb Farm. In attendance, Michael Edwards of Natural Resources Wales along with site operator Sion Davies and consultant David MacKay. Since the previous inspection, the permit has been varied to a standard rule permit SR2018 No11.

C2 Management system and operating procedures

Under condition 1.1.1 a) the operator is required to operate activities in a manner that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents incidents...to the attention of the operator as a result of complaints".

Condition 1.1.2 requires that records demonstrating the compliance with **condition 1.1.1** are maintained. A copy of the permit was available electronically during the inspection along with a hard copy of the environmental management system (EMS). Please ensure that the EMS is kept as a live document and updated to reflect current on site activities.

On site operations were done in accordance with the activities listed **under condition 2.1.1** of the permit and no wastes are imported to site. AD feedstock is produced by the farming activity. Since the permit variation, the operator has reduced liquid fraction input to reduce capacity in line with permit limitations.

During the inspection wastes were stored in appropriate manner in line with **Condition 2.4.1**.

C1 Staff competency/training

Under condition 1.1.4 the operator is required to comply with the requirements of an approved competency scheme. Given the recent circumstances with COVID pandemic Mr Davies has been unable to complete his continuing competency as testing facilities have been closed these are now open.

Discussions were had on site at the possibility of having David MacKay act as the TCM. There should be no issues with the arrangement providing that David MacKay holds the correct certification and is able to demonstrate site attendance in line with the requirements of the current guidance.

Action – Ensure that a suitably qualified person is in place as required by the conditions of the permit.

G1 Monitoring of emissions and environment

Under **condition 3.1.2** of the permit, the operator is required to undertake annual monitoring of the

emissions listed in **Table 3.1** to the standards described. This is yet to be completed, complications due to COVID have meant that the engineer previously used has been unable to attend site.

This has been scored (suspended) as a Category 3 breach of permit condition 3.1.2

Action – As agreed during the inspection, now that restrictions have been eased, ensure that an MCERTS certified engineer undertakes the annual monitoring to the standards required under the above conditions. Once the appointment has been confirmed please forward confirmation of this to me.

F1 Odour

Under **condition 3.3.1** Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable, to minimise, the odour.

Condition 3.4.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable, to minimise, the noise and vibration.

As discussed on site during the inspection, NRW has not received any complaints with regards to odours, noise or vibrations emitted from the AD activity.

G4 Reporting and notification to Natural Resources Wales

Under **condition 4.2.2** of the permit, the operator is required to submit quarterly waste returns. Following the inspection a review of the submitted returns has been undertaken. The Q1 returns from 2021 and the Q4 returns from 2020 have been submitted however no others from 2020 have been submitted.

This has been scored as a **Category 4** breach of permit **condition 4.2.2**.

Action – Ensure that missing waste returns are submitted as required. Guidance on how to complete and submit these spreadsheets is available on the following link: [Natural Resources Wales / Submit your waste return](#)

Many thanks for your time during the inspection, should you have any queries regarding the CAR please do not hesitate to contact me.

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.