Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0032028

This form will report compliance with your permit as determined by an NRW officer					
Site	Lower Park Farm Co-operative AD Plant	Permit Ref	AB3393FL		
Operator/Permit holder	Mr Richard Tomlinson, Mrs Sadie Tomlinson, Mr George Tomlinson and Mr William Tomlinson				
Regime	Waste Operations				
Date of assessment	14/08/2017	Time in	10:25	Out	12:00
Assessment type	Site Inspection				
Parts of the permit assessed	Engineering for prevention and control of pollution; Site drainage engineering; Plant and equipment; Management system and operating procedures; Accident, emergency and incident planning; Site Diary; Maintenance records				
Lead officer's name	White, Steven				
Accompanied by					
Recipient's name/position	Richard Tomlinson/ Director	Date issued	05/09/2017		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	A	
D2 - Incident Management - Accidents, emergency and incident planning	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	A	

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

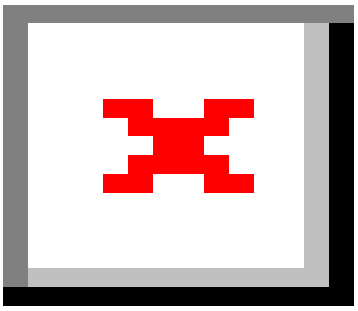
Section 2 – Compliance Assessment Report Detail

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

This was a routine inspection carried out on request of the site director/operator Richard Tomlinson as the plant had been operational for a few months and, following a number of pollution incidents involving other Anaerobic Digestion (AD) plants, required advice and guidance on whether the operating procedures for the site were sufficient. The visit was carried out by the regulating officer for the site, Steven White, who was accompanied throughout by Richard Tomlinson.

The AD plant is situated at the south end of the farm and is surrounded by a sealed concrete bund that drains directly into the farm slurry store; the bund was checked during the visit (and as part of the daily checks) and the slurry store and its capacity was visually checked (> 6 months storage).



AD Plant bund leading directly to farm slurry store

The AD plant tanks were checked and there were no signs of any cracks or structural defects, at this early stage in the operation of the site it is not anticipated that there would be any structural issues with the site. However if any defects with the tanks, major mechanical breakdowns or issues that would cause environmental concern are observed Natural Resources Wales must be notified immediately and remedial action will then be discussed with the operator.

The feedstock to the AD plant was checked, this was in a chamber that was periodically mixed to increase the fluidity and then pumped into the first tank; there were no issues observed with the feedstock for the AD plant. During discussions after the site inspection Richard enquired about adding paper pulp from animal bedding as a feedstock; this is currently not on the list of wastes in the permit, if you wish to add this waste to the waste types in table 2.3 of your permit you will have to vary the site permit from a Standard Rules Permit to a Bespoke permit.



Feedstock for AD Plant

There is currently no Environment Management System (EMS) written for the site, it is part of the permit (Condition 1.1.1 a) that the site is operated 'in accordance with a written management system' (EMS). Richard is in the process of drafting one up; guidance and examples of EMS and for other AD plants have been sent to give an idea of what is entailed in an EMS.

Site diary and maintenance records were checked, there were no issues with these.

Thank you for your time during the inspection, please find my contact details below.

Regards

Steven White

Environment Officer (Waste Regulation Team)

Direct dial 03000 653 913

Email: steven.white@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0032028**

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Operator/Permit holder	Mr Richard Tomlinson, Mrs Sadie Tomlinson, Mr George Tomlinson and Mr William Tomlinson	Date	14/08/2017

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.