

Compliance Assessment Report CAR_NRW0039267

Permit being assessed: MB3190HG.

For: A D Plant, held by Edith Parry

At: Knighton, Powys, LD7 1PE.

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

On 29/11/2021 between 10:00 and 11:15.

Parts of permit assessed: Permitted activities, General Management, Infrastructure

NRW Lead Officer: Liz Park, accompanied by Ffion Quan.

Report sent to: Lucy Owen, TCM on 03/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	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
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?

No action required.

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

Note: The CAR for Warren Farm AD Plant was accidentally issued on the permit number for the Installation Permit also operated by Warren Farm (Powys) Ltd on

22/12/2021. The report has been replicated here. Natural Resources Wales are aware that the incorrect operator is showing on this report. It should read Warren Farm (Powys) Ltd. This will be looked into.

Liz Park (Waste Regulation Officer) and Ffion Quan (Waste Regulation Officer) arrived on site to undertake a site inspection. At the time of the inspection the weather was dry and very cold.

Liz and Ffion met with Lucy Owen (Technical Competent Manager - Marches Biogas Ltd), Malcolm Lewis (Acting Site Manager - Herefordshire Biogas Ltd, also Technical Competent Manager), Richard Corbett (a Director from Hereford Biogas Ltd to visit the AD Plant), and later with Tom Manka (Site Operator - Warren Farm (Powys) Limited).

Operator

The operator status of the AD Plant was discussed following the recent death of David Parry, operator and a director of Warren Farm (Powys) Ltd. At present, Malcolm Lewis is supporting Tom Manka in the operation of the plant. The site is owned by Edith Parry of Warren Farm (Powys) Ltd. Day to day operations are managed by Tom Manka of Warren Farm (Powys) Ltd. It is understood that Edith Parry, as Warren Farm (Powys) Ltd, maintains control over staff, finances, and regulatory activities and therefore remains the operator and permit holder. Please refer to paragraph 3.2 of RGN1 - Meaning of Operator for full details. Should the situation change, please contact Liz Park for further discussion.

Following this discussion a site walkover was undertaken.

Support Services

Marches Biogas Limited continue to undertake maintenance of the AD plant, analysis of the digestate and provide a 24 hour monitoring service. Lucy provided a sample of the maintenance report form and biological results clearly showing these support services were being undertaken.

Infrastructure

The site has a concrete wall with an impermeable membrane tied into the walls. The areas around the tanks are concreted, with the remaining areas covered in stones. The integrity of the bund was discussed with Lucy Owen. There have been no known issues, and there were no visual issues on site. Lucy believes that the site may have been built with an inspection area for the impermeable membrane and will look into this. All the access valves on the outside of the digester tank are kept padlocked. All liquid within the bunded area is recirculated within the AD Plant. There has never been any need to pump out liquid from within the bunded area. There have been no issues with the pressure relief valves. The AD Plant has signing throughout indicating DSEAR areas and other hazards. The liquid digestate removal point was clean with no obvious spillages. A drain takes spillages of liquid back into the AD plant.

Digestate

The digestate is separated into liquid and fibre fractions. All the liquid digestate is stored in a tank within the bund. The fibre fraction is collected outside the bund in a covered area. All the digestate is spread on land belonging to Warren Farm.

Management System Compliance Assessment

A copy of the management system was provided by Lucy Owen and was reviewed following the site visit. The following are some minor comments/ amendments. Please note, a number of these comments have been included on a previous CAR.

Site details v3 - It is advised that this is reviewed following the receipt of this CAR along with RGN1 to clearly show that Warren Farm (Powys) AD Limited (Trisha Parry) are the operator of the AD Plant and therefore permit holder. If the above is not correct then please contact Liz Park for further discussion.

Drainage plan - It is noted on the drainage plan that it is possible for clean water from the bund sump to be pumped into the soakaway, however it is understood that this is never operated and all liquid within the sump is pumped into the liquid feed tank. Please provide information within the management system as to how this system is operated to ensure contaminated liquid is not accidentally discharged.

Warren Farm AD Drier process - The management system includes a document for the drier. However, on the site visit there output were liquid and wet digestate. Please confirm if the dryer is in operation.

Warren Farm emergency plans review schedule - the next review dates should be 2022.

Important contact information - reference to Environment Agency permit, and omission of Natural Resources Wales' Incident Report telephone number 03000 65 3000. This must be included. The incident hotline number included is for the Environment Agency. Please amend asap.

Emergency Alarm Response - Please confirm, which if any of the alarms relate to the discharge from the AD plant sump to the soakaway.

Amenity complaints procedure - Please amend to include complaints received from NRW and amend 'Knighton Powys County Council'. This should be Powys County Council.

Daily check sheet - Does not mention drainage system, this should be included.

Fire prevention and action plan - There is a typo in in the first line. In the event of a fire, Natural Resources Wales should also be notified.

Warren Farm Emergency Procedures for dealing with leaks and spillages - This document mentions contacting the emergency services. It is advised that you consider if there are any other emergency response contractors that could be used. Consideration also needs to be given as to what to do with any spillage contained.

Incident Response Plan - The telephone numbers for Natural Resources Wales need updating. Please check water company as Knighton is served by Hafren Dyfrdwy. A drainage plan showing the location of the spill equipment would be beneficial.

Overall the documents forming the management system are very thorough.

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.

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.