



OFFERYNNAU STATUDOL CYMRU

2021 Rhif 77 (Cy. 20)

AMAETHYDDIAETH, CYMRU

DŴR, CYMRU

Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol)
(Cymru) 2021

Gwnaed

21 Ionawr 2021

Gosodwyd gerbron Senedd Cymru

27 Ionawr 2021

Yn dod i rym

1 Ebrill 2021

WELSH STATUTORY INSTRUMENTS

2021 No. 77 (W. 20)

AGRICULTURE, WALES

WATER, WALES

The Water Resources (Control of Agricultural Pollution)
(Wales) Regulations 2021

Made

21 January 2021

Laid before Senedd Cymru

27 January 2021

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1 April 2021

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CYMRU

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**Rheoliadau Adnoddau Dŵr (Rheoli
Llygredd Amaethyddol) (Cymru)
2021**

**The Water Resources (Control of
Agricultural Pollution) (Wales)
Regulations 2021**

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn dirymu ac yn disodli—

- (a) Rheoliadau Atal Llygredd Nitradau (Cymru) 2013 (O.S. 2013/2506 (Cy. 245)) sydd yn rheoli'r broses o ddodi gwraith nitrogen mewn ardaloedd sy'n agored i niwed gan nitradau, a
- (b) Rheoliadau Adnoddau Dŵr (Rheoli Llygredd) (Silwair a Slyri) (Cymru) 2010 (O.S. 2010/1493 (Cy. 136)) sydd yn rheoleiddio gofalu am silwair a slyri a rheoli silwair a slyri, gan ddarparu'r safonau dylunio ac adeiladu sy'n gymwys ar gyfer eu storio.

Mae'r Rheoliadau hyn yn gwneud darpariaeth sy'n ymwneud â diogelu dyfroedd rhag llygredd a achosir gan nitradau o ffynonellau amaethyddol.

Y Prif Newidiadau

Tra bod y gofynion o dan Rheoliadau Atal Llygredd Nitradau (Cymru) 2013 ond yn gymwys i ddaliadau a oedd wedi eu lleoli mewn Parthau Perygl Nitradau a ddynodwyd, bydd y gofynion hyn bellach yn gymwys i bob daliad yng Nghymru. Bydd y rhan fwyaf o'r mesurau yn Rheoliadau Adnoddau Dŵr (Rheoli Llygredd) (Silwair a Slyri) (Cymru) 2010 yn parhau i fod yn gymwys o dan y Rheoliadau hyn, ond mae'r gofynion o ran capasiti ar gyfer storio tail organig a silwair yn y Rheoliadau hynny wedi eu disodli gan y gofynion hynny yn Rheoliadau Atal Llygredd Nitradau (Cymru) 2013.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace—

- (a) the Nitrate Pollution Prevention (Wales) Regulations 2013 (S.I. 2013/2506 (W. 245)) which control the application of nitrogen fertiliser in nitrate sensitive areas, and
- (b) the Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010 (S.I. 2010/1493 (W. 136)) which regulate the custody and control of silage and slurry and provided the design and construction standards applicable for its storage.

These Regulations make provision concerning the protection of waters against pollution by nitrates from agricultural sources.

Principal Changes

Whereas the requirements under the Nitrate Pollution Prevention (Wales) Regulations 2013 applied only to holdings situated in designated Nitrate Vulnerable Zones, these requirements will now apply to all holdings in Wales. The majority of the measures in the Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010 will continue to apply under these Regulations but the capacity requirements for the storage of organic manure and silage in those Regulations are superseded and mirror those in the Nitrate Pollution Prevention (Wales) Regulations 2013.

Hefyd, bydd yn ofynnol i bersonau sy'n bwriadu adeiladu neu wella eu cyfleuster storio ar gyfer slyri neu silwair hysbysu Corff Adnoddau Naturiol Cymru ("CANC") am hynny 14 o ddiwrnodau cyn cychwyn y gwaith adeiladu, gan ddisodli'r gofyniad blaenorol i roi hysbysiad cyn dechrau defnyddio'r cyfleuster storio.

Rhaid i feddianwyr daliadau organig sy'n dymuno elwa ar yr esemptiad i'r cyfnodau gwaharddedig ar gyfer taenu tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd (rheoliad 20) gyflwyno ymgymeriad bellach i'r system reoli y cyfeirir ati yn Erthygl 27 o Reoliad y Cyngor (EC) 834/2007 yn hytrach na chofrestru gyda'r Pwyllgor Cynghori ar Safonau Organig sydd bellach wedi ei ddi-ddymu.

Y Rheoliadau

Mae Rhan 1 o'r Rheoliadau hyn yn cynnwys darpariaethau rhagarweiniol gan gynnwys darpariaeth drosiannol ar gyfer pob daliad nad oedd gynt o fewn Parth Perygl Nitradau y mae bellach yn ofynnol iddo gydymffurfio â'r darpariaethau a'r gofynion perthnasol o dan y Rheoliadau hyn.

Mae Rhan 2 o'r Rheoliadau hyn yn gosod terfynau blynyddol ar faint o nitrogen o dail organig y caniateir ei ddodi neu ei daenu.

Mae Rhan 3 yn sefydlu gofynion ynghylch faint o nitrogen sydd i'w daenu ar gnwd, ac yn ei gwneud yn ofynnol i feddiannydd gynllunio ymlaen llaw faint o wrtaith nitrogen a gaiff ei daenu.

Mae Rhan 4 yn ei gwneud yn ofynnol i feddiannydd ddarparu map risg o'r daliad, ac yn gosod amodau ar sut, ym mhle a phryd y dylid taenu gwrrtaith nitrogen.

Mae Rhan 5 yn pennu cyfnodau gwaharddedig pan na chaniateir taenu gwrrtaith nitrogen.

Mae Rhan 6 yn gwneud darpariaeth ar gyfer storio tail organig ac yn rhagnodi'r gofynion o ran capasiti ac adeiladu ar gyfer systemau storio o'r fath. Mae'n darparu ar gyfer esemptiadau rhag y gofynion ar gyfer systemau storio penodol; yn darparu i CANC gyflwyno hysbysiadau yn ei gwneud yn ofynnol i waith gael ei wneud neu i ragofalon gael eu cymryd i leihau'r risg o lygredd i ddyfroedd a reolir a hefyd yn darparu proses apelio yn erbyn hysbysiadau o'r fath. Mae hefyd yn ei gwneud yn ofynnol i CANC gael ei hysbysu am waith penodol sydd i'w wneud ar systemau storio o'r fath.

Mae Rhan 7 yn pennu pa gofnodion y mae'n rhaid eu cadw.

Furthermore, persons proposing to build or improve their storage facility for slurry or silage will be required to notify the Natural Resources Body for Wales ("NRBW") 14 days before construction work is begun, replacing the previous requirement for notification prior to the storage facility's actual use.

Occupiers of organic holdings wishing to benefit from the exemption to the closed periods for spreading organic manure with high readily available nitrogen (regulation 20) must now submit an undertaking to the control system referred to in Article 27 of Council Regulation (EC) 834/2007 rather than register with the Advisory Committee on Organic Standards which has now been dissolved.

The Regulations

Part 1 of these Regulations contains introductory provisions including transitional provision for all holdings not previously within a Nitrate Vulnerable Zone which are now required to comply with the relevant provisions and requirements under these Regulations.

Part 2 of these Regulations imposes annual limits on the amount of nitrogen from organic manure that may be applied or spread.

Part 3 establishes requirements relating to the amount of nitrogen to be spread on a crop, and requires an occupier to plan in advance how much nitrogen fertilizer will be spread.

Part 4 requires an occupier to provide a risk map of the holding, and imposes conditions on how, where and when to spread nitrogen fertilizer.

Part 5 establishes closed periods during which it is prohibited to spread nitrogen fertilizer.

Part 6 makes provision for the storage of organic manure and prescribes the capacity and construction requirements for such storage systems. It provides for exemptions from the requirements for certain storage systems; for NRBW to serve notices requiring the carrying out of works or precautions for reducing the risk of pollution to controlled waters and provides an appeal process against such notices. It also requires NRBW to be notified of certain works to be carried out to such storage systems.

Part 7 specifies what records must be kept.

Mae Rhan 8 yn ei gwneud yn ofynnol i Weinidogion Cymru adolygu'r Rheoliadau hyn o fewn terfynau amser penodedig, gan gynnwys adolygiad ar ôl dwy flynedd i ystyried unrhyw gyflwyniadau ynghylch cyfres amgen o fesurau yn lle'r rhai yn y Rheoliadau hyn ar gyfer atal neu leihau llygredd a achosir gan amaethyddiaeth.

Mae Rhan 9 o'r Rheoliadau hyn yn darparu ar gyfer gorfodi ac yn darparu i dorri rheoliadau penodol fod yn drosedd. Gorfodir y Rheoliadau hyn gan CANC.

Mae Rhan 10 yn cynnwys darpariaethau amrywiol gan gynnwys dirymiadau.

Mae'r Rheoliadau hyn yn diddymu ac yn ailddeddfu (heb addasiadau) rheoliadau technegol yn Rheoliadau Adnoddau Dŵr (Rheoli Llygredd) (Silwair a Slyri) (Cymru) 2010.

Mae'r cyhoeddiadau Safonau Prydeinig y cyfeirir atynt yn y Rheoliadau hyn i'w cael gan y Sefydliad Safonau Prydeinig naill ai ar-lein yn <https://shop.bsigroup.com/Contact-Us/> neu drwy ysgrifennu at BSI Customer Services, 389 Chiswick High Road, London, W4 4AL, UK.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi oddi wrth: Llywodraeth Cymru, Parc Cathays, Caerdydd, CF10 3NQ.

Part 8 requires the Welsh Ministers to review these Regulations within set time scales, including a review after two years to consider any submissions on an alternative suite of measures to those in these Regulations for preventing or reducing pollution caused by agriculture.

Part 9 of these Regulations provides for enforcement and for contravention of certain regulations to be a criminal offence. These Regulations are enforced by NRBW.

Part 10 contains miscellaneous provisions including revocations.

These Regulations repeal and re-enact (without modification) technical regulations in the Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010.

British Standard publications referred to in these Regulations can be obtained from the British Standard Institute either online at <https://shop.bsigroup.com/Contact-Us/> or by writing to BSI Customer Services, 389 Chiswick High Road, London, W4 4AL, UK.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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**Rheoliadau Adnoddau Dŵr (Rheoli
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2021**

**The Water Resources (Control of
Agricultural Pollution) (Wales)
Regulations 2021**

Gwnaed 21 Ionawr 2021

Made 21 January 2021

*Gosodwyd gerbron Senedd
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Yn dod i rym 1 Ebrill 2021

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Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn drwy arfer y pwerau a roddir iddynt gan adrannau 92 a 219(2)(d) i (f) o Ddeddf Adnoddau Dŵr 1991(1).

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 92 and 219(2)(d) to (f) of the Water Resources Act 1991(1).

RHAN 1

Rhagarweiniad

Enwi, cymhwyso a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Adnoddau Dŵr (Rheoli Llygredd Amaethyddol) (Cymru) 2021.

(2) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) Daw'r Rheoliadau hyn i rym ar 1 Ebrill 2021.

Mesurau trosiannol ar gyfer daliadau nad oeddent gynt mewn parth perygl nitradau

2. Mewn daliad neu ran o ddaliad nad oedd gynt wedi ei leoli neu wedi ei lleoli o fewn parth perygl nitradau fel a ddangosir ar y map perthnasol o'r enw "Parthau Perygl Nitradau Map Mynegai 2013"⁽²⁾—

PART 1

Introduction

Title, application and commencement

1.—(1) The title of these Regulations is the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.

(2) These Regulations apply in relation to Wales.

(3) These Regulations come into force on 1 April 2021.

Transitional measures for holdings not previously in a nitrate vulnerable zone

2. In a holding or part of a holding that was not previously situated within a nitrate vulnerable zone as shown on the relevant map marked "Nitrate Vulnerable Zones Index Map 2013"⁽²⁾—

(1) 1991 p. 57. Diwygiwyd adran 92 gan adran 120 o Ddeddf yr Amgylchedd 1995 (p. 25) a pharagraffau 128 a 144 o Atodlen 22 i'r Ddeddf honno, a chan O.S. 2010/675 ac O.S. 2013/755 (Cy. 90). Mae diwygiadau i adran 219 nad ydynt yn berthnasol i'r Rheoliadau hyn. Yn rhinwedd erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), ac Atodlen 1 iddo, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan adran 92 i Gynulliad Cenedlaethol Cymru o ran y rhannau hynny o Gymru sydd y tu allan i ddalgylchoedd afon Dyfrdwy, afon Gwy ac afon Hafren. O ran y rhannau hynny o Gymru sydd o fewn y dalgylchoedd hynny, mae swyddogaethau o dan adran 92 yn arferadwy gan Gynulliad Cenedlaethol Cymru ar y cyd â'r Ysgrifennydd Gwladol. Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), a pharagraff 30 o Atodlen 11 iddi, mae swyddogaethau o dan adrannau 92 a 219 bellach wedi eu breinio yng Ngweinidogion Cymru.

(2) O dan reoliad 7(3) o Reoliadau Atal Llygredd Nitradau (O.S. 2013/2506) (Cy. 245) yr oedd yn ofynnol i fap o'r fath gael ei adneuo yn swyddfeydd Llywodraeth Cymru ym Mhare Cathays, Caerdydd, CF10 3NQ. Gellir gweld y map yn <http://lle.gov.wales/catalogue/item/NitrateVulnerableZonesNVZ/?lang=en> ac yn swyddfeydd Llywodraeth Cymru ym Mhare Cathays, Caerdydd, CF10 3NQ.

(1) 1991 c. 57. Section 92 was amended by the Environment Act 1995 (c. 25) section 120 and paragraph 128 and 144 of Schedule 22 to that Act, and by S.I. 2010/675 and S.I. 2013/755 (W. 90). There are amendments to section 219 which are not relevant to these Regulations. By virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) functions of the Secretary of State under section 92 were transferred to the National Assembly for Wales in relation to those parts of Wales which are outside the catchment areas of the rivers Dee, Wye and Severn. In relation to those parts of Wales which are within those catchment areas, functions under section 92 are exercisable by the National Assembly for Wales concurrently with the Secretary of State. By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32) functions under sections 92 and 219 now vest in the Welsh Ministers.

(2) Under regulation 7(3) of the Nitrate Pollution Prevention (Wales) Regulations 2013 (S.I. 2013/2506) (W. 245) such a map was required to be deposited at the offices of the Welsh Government at Cathays Park, Cardiff, CF10 3NQ. The map can be viewed at <http://lle.gov.wales/catalogue/item/NitrateVulnerableZonesNVZ/?lang=en> and at the offices of the Welsh Government at Cathays Park, Cardiff, CF10 3NQ.

- (a) nid yw rheoliadau 4 i 11, 15, 23, 27 a 33 i 43 yn gymwys hyd nes 1 Ionawr 2023, ac
- (b) nid yw rheoliadau 17 i 21, 25 a 26, a 28 i 31 yn gymwys hyd nes 1 Awst 2024.

- (a) regulations 4 to 11, 15, 23, 27 and 33 to 43 do not apply until 1 January 2023, and
- (b) regulations 17 to 21, 25 and 26, and 28 to 31 do not apply until 1 August 2024.

Dehongli

3.—(1) Yn y Rheoliadau hyn—

mae “adeiladu” (“*construct*”) yn cynnwys gosod;
 mae i “amaethyddiaeth” yr ystyr a roddir i “*agriculture*” yn adran 109(3) o Ddeddf Amaethyddiaeth 1947(1);
 ystyr “ardal amaethyddol” (“*agricultural area*”) yw unrhyw dir amaethyddol a ddefnyddir at ddibenion amaethyddol;
 ystyr “CANC” (“*NRBW*”) yw Corff Adnoddau Naturiol Cymru;
 mae “cnwd â galw mawr am nitrogen” (“*crop with high nitrogen demand*”) yn cynnwys, ond heb fod yn gyfyngedig iddynt, porfa, tatws, betys siwgr, indrawn, gwenith, rêp had olew, haidd, bresych, rhyg a rhygwenith;
 mae i “cwrs dŵr” yr ystyr a roddir i “*watercourse*” yn adran 221 o Ddeddf Adnoddau Dŵr 1991;
 ystyr “cynllun gwrteithio” (“*fertilisation plan*”) yw cynllun a gafodd ei baratoi o dan reoliad 6(1)(c);
 ystyr “da byw” (“*livestock*”) yw unrhyw anifail (gan gynnwys dofednod) a bennir yn Atodlen 1;
 ystyr “da byw nad ydynt yn pori” (“*non-grazing livestock*”) yw unrhyw anifail a bennir yn Nhabl 2 yn Atodlen 1;
 ystyr “da byw sy’n pori” (“*grazing livestock*”) yw unrhyw anifail a bennir yn Nhabl 1 yn Atodlen 1;
 ystyr “daliad” (“*holding*”) yw’r holl dir a’i adeiladau cysylltiedig sydd ar gael i’w defnyddio gan y meddiannydd ac a ddefnyddir i dyfu cnydau mewn pridd neu i fagu da byw at ddibenion amaethyddol;
 ystyr “dofednod” (“*poultry*”) yw dofednod a bennir yn Atodlen 1;
 mae i “dyfroedd a reolir” yr ystyr a roddir i “*controlled waters*” yn adran 104 o Ddeddf Adnoddau Dŵr 1991
 ystyr “elifiant silwair” (“*silage effluent*”) yw elifiant o silwair;
 ystyr “gwrtaith ffosffad” (“*phosphate fertiliser*”) yw unrhyw sylwedd sy’n cynnwys un neu ragor o

Interpretation

3.—(1) In these Regulations—

“agricultural area” (“*ardal amaethyddol*”) means any agricultural land used for agricultural purposes;
 “agriculture” (“*amaethyddiaeth*”) has the meaning given in section 109(3) of the Agriculture Act 1947(1);
 “construct” (“*adeiladu*”) includes install;
 “controlled waters” (“*dyfroedd a reolir*”) has the meaning given in section 104 of the Water Resources Act 1991;
 “crop with high nitrogen demand” (“*cnwd â galw mawr am nitrogen*”) includes, but not limited to, grass, potatoes, sugar beet, maize, wheat, oilseed rape, barley, brassicas, rye and triticale;
 “fertilisation plan” (“*cynllun gwrteithio*”) means a plan prepared under regulation 6(1)(c);
 “grass” (“*porfa*”) means—
 (a) permanent grassland or temporary grassland (temporary means for less than four years),
 (b) that exists between the sowing and ploughing of the grass, and
 (c) includes crops under-sown with grass, but does not include grassland with 50 % or more clover;
 “grazing livestock” (“*da byw sy’n pori*”) means any animal specified in Table 1 in Schedule 1;
 “holding” (“*daliad*”) means all land and its associated buildings that are at the disposal of the occupier and which are used for the growing of crops in soil or rearing of livestock for agricultural purposes;
 “land that has a low run-off risk” (“*tir y mae’r risg o oferu drosto yn isel*”) means land that—
 (a) has an average slope of less than 3° (3 degrees),
 (b) does not have land drains (other than a sealed impermeable pipe), and

(1) 1947 p. 48. Mae diwygiadau i is-adran (3), ond nid yw’r un ohonynt yn berthnasol.

(1) 1947 c. 48. There are amendments to subsection (3) but none is relevant.

gyfansoddion ffosffad a ddefnyddir ar dir i wella twf y llystyfiant ac mae'n cynnwys tail organig;

ystyr “gwrrtaith ffosffad a weithgynhyrchwyd” (“*manufactured phosphate fertiliser*”) yw unrhyw wrtaith ffosffad (ac eithrio tail organig) sydd wedi ei weithgynhyrchu drwy broses ddiwydiannol;

ystyr “gwrrtaith nitrogen” (“*nitrogen fertiliser*”) yw unrhyw sylwedd sy'n cynnwys un neu ragor o gyfansoddion nitrogen a ddefnyddir ar dir i wella twf y llystyfiant ac mae'n cynnwys tail organig;

ystyr “gwrrtaith nitrogen a weithgynhyrchwyd” (“*manufactured nitrogen fertiliser*”) yw unrhyw wrtaith nitrogen (ac eithrio tail organig) sydd wedi ei weithgynhyrchu drwy broses ddiwydiannol;

ystyr “hysbysiad” (“*notice*”) yw hysbysiad ysgrifenedig;

ystyr “porfa” (“*grass*”) yw—

- (a) glaswelltir parhaol neu laswelltir dros dro (ystyr dros dro yw am gyfnod o lai na phedair blynedd),
- (b) sy'n bodoli rhwng hau ac aredig y borfa, ac
- (c) mae'n cynnwys cynydu yr heuwyd porfa oddi tanynt,

ond nid yw'n cynnwys glaswelltir sydd â 50 % neu ragor o feillion;

ystyr “pridd tenau” (“*shallow soil*”) yw pridd y mae ei ddyfnder yn llai na 40 cm;

ystyr “pridd tywodlyd” (“*sandy soil*”) yw unrhyw bridd sy'n gorwedd ar dywodfaen, ac unrhyw bridd arall sy'n cynnwys—

- (a) yn yr haen hyd at ddyfnder o 40cm—
 - (i) mwy na 50 % yn ôl pwysau o ronynnau sydd â diamedr o 0.06 i 2 mm,
 - (ii) llai na 18 % yn ôl pwysau o ronynnau sydd â'u diamedr yn llai na 0.02 mm, a
 - (iii) llai na 5 % yn ôl pwysau o garbon organig, a
- (b) yn yr haen sydd rhwng 40 a 80 cm o ddyfnder—
 - (i) mwy na 70 % yn ôl pwysau o ronynnau sydd â diamedr o 0.06 i 2 mm,
 - (ii) llai na 15 % yn ôl pwysau o ronynnau sydd â'u diamedr yn llai na 0.02 mm, a
 - (iii) llai na 5 % yn ôl pwysau o garbon organig;

ystyr “pydew derbyn” (“*reception pit*”) yw pydew a ddefnyddir i gasglu slyri cyn ei drosglwyddo i danc storio slyri neu i gasglu slyri sy'n cael ei ollwng o danc o'r fath;

(c) is at least 50 metres from a watercourse or conduit leading to a watercourse;

“livestock” (“*da byw*”) means any animal (including poultry) specified in Schedule 1;

“manufactured nitrogen fertiliser” (“*gwrrtaith nitrogen a weithgynhyrchwyd*”) means any nitrogen fertiliser (other than organic manure) manufactured by an industrial process;

“manufactured phosphate fertiliser” (“*gwrrtaith ffosffad a weithgynhyrchwyd*”) means any phosphate fertiliser (other than organic manure) manufactured by an industrial process;

“nitrogen fertiliser” (“*gwrrtaith nitrogen*”) means any substance containing one or more nitrogen compounds used on land to enhance growth of vegetation and includes organic manure;

“non-grazing livestock” (“*da byw nad ydynt yn pori*”) means any animal specified in Table 2 in Schedule 1;

“notice” (“*hysbysiad*”) means notice in writing;

“NRBW” (“*CANC*”) means the Natural Resources Body for Wales;

“organic manure” (“*tail organig*”) means any nitrogen fertiliser or phosphate fertiliser derived from animal, plant or human sources and includes livestock manure;

“phosphate fertiliser” (“*gwrrtaith ffosffad*”) means any substance containing one or more phosphorus compounds used on land to enhance growth of vegetation and includes organic manure;

“poultry” (“*dofednod*”) means poultry specified in Schedule 1;

“reception pit” (“*pydew derbyn*”) means a pit used for the collection of slurry before it is transferred into a slurry storage tank or for the collection of slurry discharged from such a tank;

“sandy soil” (“*pridd tywodlyd*”) means any soil over sandstone, and any other soil where—

- (a) in the layer up to 40 cm deep, there are—
 - (i) more than 50 % by weight of particles from 0.06 to 2 mm in diameter,
 - (ii) less than 18 % by weight of particles less than 0.02 mm diameter, and
 - (iii) less than 5 % by weight of organic carbon, and
- (b) in the layer from 40 to 80 cm deep, there are—
 - (i) more than 70 % by weight of particles from 0.06 to 2 mm in diameter,
 - (ii) less than 15 % by weight of particles less than 0.02 mm diameter, and

ystyr “seilo” (“*silo*”) yw adeiladwaith a ddefnyddir i wneud neu i storio silwair;

mae “silwair” (“*silage*”) yn cynnwys cnwd sy’n cael ei wneud yn silwair;

ystyr “slyri” (“*slurry*”) yw mater hylifol neu led hylifol a’i gynnwys yw—

- (a) carthion a gynhyrchir gan dda byw (ac eithrio dofednod) tra maent ar fuarth neu mewn adeilad (gan gynnwys da byw sy’n cael eu cadw mewn corlannau sglodion coed), neu
- (b) cymysgedd sy’n cynnwys yn gyfan gwbl neu’n bennaf carthion da byw, gwasarn da byw, dŵr glaw a golchion o adeilad neu fuarth a ddefnyddir gan dda byw,

ac o ddwystr sy’n caniatáu iddo gael ei bwmpio neu ei ollwng drwy ddisgyrchiant ar unrhyw gymal yn y broses o’i drin;

mae “taenu” (“*spreading*”) yn cynnwys doddi ar wyneb y tir, chwistrellu i mewn i’r tir neu gymysgu â haenau arwyneb y tir ond nid yw’n cynnwys dyddodi carthion yn uniongyrchol ar y tir gan anifeiliaid;

ystyr “tail organig” (“*organic manure*”) yw unrhyw wrtaith nitrogen neu wrtaith ffosffad sy’n deillio o anifeiliaid, planhigion neu fodau dynol, ac mae’n cynnwys tail da byw;

mae “tanc storio slyri” (“*slurry storage tank*”) yn cynnwys lagŵn, pydew (ac eithrio pydew derbyn) neu dŵr sy’n cael ei ddefnyddio i storio slyri;

ystyr “tir y mae’r risg o oferu drosto yn isel” (“*land that has a low run-off risk*”) yw tir—

- (a) y mae ei oleddf cyfartalog yn llai na 3° (3 gradd),
- (b) nad oes ynddo ddraeniau tir (ac eithrio pibell anhydraidd sydd wedi ei selio), ac
- (c) sydd o leiaf 50 metr i ffwrdd o gwrs dŵr neu ddyfrffos sy’n arwain at gwrs dŵr.

(2) Mae cyfeiriad yn y Rheoliadau hyn at system storio slyri yn cynnwys tanc storio slyri ac—

- (a) unrhyw bydew derbyn ac unrhyw danc elifiant sy’n cael ei ddefnyddio mewn cysylltiad â’r tanc, a
- (b) unrhyw sianelau a phibellau sy’n cael eu defnyddio mewn cysylltiad â’r tanc, ag unrhyw bydew derbyn neu ag unrhyw danc elifiant.

(3) Bodlonir gofyniad yn y Rheoliadau hyn i seilo neu danc storio slyri gydymffurfio â Safon Brydeinig (yn gyfan gwbl neu’n rhannol) os yw’r seilo neu’r tanc yn cydymffurfio â safon neu â manyleb sy’n darparu lefel gyfatebol o warchodaeth a pherfformiad ac sy’n cael ei chydabod i’w defnyddio mewn Aelod-wladwriaeth, yn Ynys yr Îâ, Liechtenstein, Norwy neu Dwrci.

(iii) less than 5 % by weight of organic carbon;

“shallow soil” (“*pridd tenau*”) is soil that is less than 40 cm deep;

“silage” (“*silwair*”) includes a crop being made into silage;

“silage effluent” (“*elifiant silwair*”) means effluent from silage;

“silo” (“*seilo*”) means a structure used for making or storing silage;

“slurry” (“*slyri*”) means liquid or semi-liquid matter composed of—

- (a) excreta produced by livestock (other than poultry) while in a yard or building (including that held in wood chip corrals), or
- (b) a mixture wholly or mainly consisting of livestock excreta, livestock bedding, rainwater and washings from a building or yard used by livestock,

of a consistency that allows it to be pumped or discharged by gravity at any stage in the handling process;

“slurry storage tank” (“*tanc storio slyri*”) includes a lagoon, a pit (other than a reception pit) or tower used for the storage of slurry;

“spreading” (“*taenu*”) includes application to the surface of the land, injection into the land or mixing with the surface layers of the land but does not include the direct deposit of excreta on to land by animals;

“watercourse” (“*cwrs dŵr*”) has the meaning given in section 221 of the Water Resources Act 1991.

(2) A reference in these Regulations to a slurry storage system includes a slurry storage tank and—

- (a) any reception pit and any effluent tank used in connection with the tank, and
- (b) any channels and pipes used in connection with the tank, any reception pit or any effluent tank.

(3) A requirement in these Regulations for a silo or slurry storage tank to conform to a British Standard (in whole or in part) is satisfied if the silo or tank conforms to a standard or specification that provides an equivalent level of protection and performance and is recognised for use in a member State, Iceland, Liechtenstein, Norway or Turkey.

RHAN 2

Cyfyngu ar ddodi tail organig

Dodi tail da byw – y terfyn o ran cyfanswm y nitrogen ar gyfer yr holl ddaliad

4.—(1) Rhaid i feddiannydd daliad sicrhau, yn ystod unrhyw flwyddyn sy'n dechrau ar 1 Ionawr, na fydd cyfanswm y nitrogen mewn tail da byw a ddodir ar y daliad, boed yn uniongyrchol gan anifail neu drwy daenu, yn fwy na 170 kg wedi ei luosi ag arwynebedd y daliad mewn hectarau.

(2) Rhaid cyfrifo maint y nitrogen a gynhyrchir gan dda byw yn unol ag Atodlen 1.

(3) Wrth gyfrifo arwynebedd y daliad at ddibenion canfod maint y nitrogen y caniateir ei daenu ar y daliad, diystyrir dyfroedd wyneb, unrhyw lorïau caled, adeiladau, ffyrdd neu unrhyw goetir, oni ddefnyddir y coetir hwnnw ar gyfer pori.

Taenu tail organig – terfynau nitrogen fesul hectar

5.—(1) Yn ddarostyngedig i baragraff (2), rhaid i feddiannydd daliad sicrhau, mewn unrhyw gyfnod o 12 mis, na fydd cyfanswm y nitrogen mewn tail organig a daenir ar unrhyw hectar penodol ar y daliad yn fwy na 250 kg.

(2) Rhaid i feddiannydd daliad sicrhau na fydd cyfanswm y nitrogen mewn tail organig, yn gyfan gwbl ar ffurf compost ardystiedig, a ddodir ar unrhyw hectar penodol o'r daliad, yn fwy nag—

- (a) 1000 kg mewn unrhyw gyfnod o bedair blynedd os dodir ef fel tomwellt ar dir perllan, neu
- (b) 500 kg mewn unrhyw gyfnod o ddwy flynedd os dodir ef ar unrhyw dir arall.

(3) At ddibenion paragraffau (1) a (2), rhaid cyfrifo cyfanswm y nitrogen mewn tail organig drwy gyfeirio at y dulliau a ddisgrifir yn rheoliad 9 ar gyfer cadarnhau'r cynnwys nitrogen.

(4) Yn y rheoliad hwn—

- (a) ystyr “tir perllan” yw tir y tyfir arno unrhyw ffrwyth a restrir yn Atodlen 2;
- (b) ystyr “compost ardystiedig” yw compost gwyrdd neu gompost gwyrdd/bwyd y mae'r cyflenwr yn cadarnhau mewn ysgrifen ei fod yn bodloni'r safonau a bennir yn y cyhoeddiad *PAS 100:2011* ar ddeunyddiau a gompostiwyd, dyddiedig Ionawr 2011 ac nad yw'n cynnwys unrhyw dail da byw;

PART 2

Limiting the application of organic manure

Application of livestock manure – total nitrogen limit for the whole holding

4.—(1) The occupier of a holding must ensure that, in any year beginning 1 January, the total amount of nitrogen in livestock manure applied to the holding, whether directly by an animal or by spreading, does not exceed 170 kg multiplied by the area of the holding in hectares.

(2) The amount of nitrogen produced by livestock must be calculated in accordance with Schedule 1.

(3) In calculating the area of the holding for the purposes of ascertaining the amount of nitrogen permitted to be spread on the holding, no account is taken of surface waters, any hardstanding, buildings, roads or any woodland unless that woodland is used for grazing.

Spreading organic manure — nitrogen limits per hectare

5.—(1) Subject to paragraph (2), the occupier of a holding must ensure that, in any 12 month period, the total amount of nitrogen in organic manure spread on any given hectare on the holding does not exceed 250 kg.

(2) The occupier of a holding must ensure that the total amount of nitrogen in organic manure exclusively in the form of certified compost applied to any given hectare on the holding does not exceed—

- (a) 1000 kg in any four year period if it is applied as mulch to orchard land, or
- (b) 500 kg in any two year period if it is applied to any other land.

(3) For the purposes of paragraphs (1) and (2), the total amount of nitrogen in organic manure must be calculated by reference to the methods described in regulation 9 for establishing nitrogen content.

(4) In this regulation—

- (a) “orchard land” means land on which any fruit listed in Schedule 2 is grown;
- (b) “certified compost” means green compost or green/food compost in relation to which the supplier confirms in writing that it meets the standards set out in the publication *PAS 100:2011* on composted materials dated January 2011 and contains no livestock manure;

- (c) rhaid i'r meddiannydd gadw cadarnhad ysgrifenedig fod y tail organig yn cydymffurfio ag is-baragraff (b).

- (c) the occupier must retain written confirmation that the organic manure complies with subparagraph (b).

RHAN 3

Y gofynion o ran cynydau

Cynllunio'r modd y taenir gwartaith nitrogen

6.—(1) Rhaid i feddiannydd daliad sy'n bwriadu taenu gwartaith nitrogen—

- (a) cyfrifo faint o nitrogen yn y pridd sy'n debyg o fod ar gael i'r cnwd ei amsugno yn ystod y tymor tyfu (“y cyflenwad nitrogen yn y pridd”),
- (b) cyfrifo'r maint optimum o nitrogen y dylid ei daenu ar y cnwd, gan gymryd i ystyriaeth y maint o nitrogen sydd ar gael o'r cyflenwad nitrogen yn y pridd, ac
- (c) llunio cynllun ar gyfer taenu gwartaith nitrogen ar gyfer y tymor tyfu hwnnw.

(2) Yn achos unrhyw gnwd nad yw'n laswelltir parhaol, rhaid i'r meddiannydd gydymffurfio â pharagraff (1) cyn taenu unrhyw wrtaith nitrogen am y tro cyntaf er mwyn gwarteithio cnwd sydd wedi ei blannu neu y bwriedir ei blannu.

(3) Yn achos glaswelltir parhaol, rhaid i'r meddiannydd gydymffurfio â pharagraff (1) bob blwyddyn sy'n dechrau ar 1 Ionawr cyn taenu gwartaith nitrogen am y tro cyntaf.

(4) Rhaid i'r cynllun fod ar ffurf barhaol.

(5) Rhaid i'r cynllun gofnodi—

- (a) cyfeirnod neu enw'r cae perthnasol,
- (b) y rhan o'r cae a blannwyd neu y bwriedir ei phlannu, ac
- (c) y math o gnwd.

(6) Yn achos y rhan a blannwyd neu y bwriedir ei phlannu, rhaid i'r cynllun gofnodi—

- (a) y math o bridd,
- (b) y cnwd blaenorol (ac os porfa oedd y cnwd blaenorol, a reolid y borfa drwy ei thorri ynteu ei phori),
- (c) y cyflenwad nitrogen yn y pridd wedi ei gyfrifo'n unol â pharagraff (1) a'r dull a ddefnyddiwyd i gyrraedd y ffigur hwn,
- (d) y mis y rhagwelir y caiff y cnwd ei blannu,
- (e) maint y cynnyrch a ddisgwylir (os yw'n gnwd âr), ac

PART 3

Crop requirements

Planning the spreading of nitrogen fertiliser

6.—(1) An occupier of a holding who intends to spread nitrogen fertiliser must—

- (a) calculate the amount of nitrogen in the soil that is likely to be available for uptake by the crop during the growing season (“the soil nitrogen supply”),
- (b) calculate the optimum amount of nitrogen that should be spread on the crop, taking into account the amount of nitrogen available from the soil nitrogen supply, and
- (c) produce a plan for the spreading of nitrogen fertiliser for that growing season.

(2) In the case of any crop other than permanent grassland, the occupier must comply with paragraph (1) before spreading any nitrogen fertiliser for the first time for the purpose of fertilising a crop planted or intended to be planted.

(3) In the case of permanent grassland the occupier must comply with paragraph (1) each year beginning 1 January before the first spreading of nitrogen fertiliser.

(4) The plan must be in permanent form.

(5) The plan must record—

- (a) the reference or name of the relevant field,
- (b) the area of the field planted or intended to be planted, and
- (c) the type of crop.

(6) For the area planted or intended to be planted the plan must record—

- (a) the soil type,
- (b) the previous crop (if the previous crop was grass, whether it was managed by cutting or grazing),
- (c) the soil nitrogen supply calculated in accordance with paragraph (1) and the method used to establish this figure,
- (d) the anticipated month that the crop will be planted,
- (e) the anticipated yield (if arable), and

- (f) y maint optimwm o nitrogen y dylid ei daenu ar y cnwd gan gymryd i ystyriaeth y maint o nitrogen sydd ar gael o'r cyflenwad nitrogen yn y pridd.

- (f) the optimum amount of nitrogen that should be spread on the crop, taking into account the amount of nitrogen available from the soil nitrogen supply.

Yr wybodaeth ychwanegol sydd i'w chofnodi yn ystod y flwyddyn

7.—(1) Cyn taenu tail organig, rhaid i'r meddiannydd, ar bob achlysur, gyfrifo maint y nitrogen o'r tail hwnnw sy'n debygol o fod ar gael i'r cnwd ei amsugno yn y tymor tyfu y'i taenir ynddo.

(2) Rhaid i'r meddiannydd, cyn taenu, gofnodi—

- (a) y rhan y taenir y tail organig arni,
- (b) y maint o dail organig sydd i'w daenu,
- (c) y dyddiad arfaethedig ar gyfer taenu (y mis),
- (d) y math o dail organig,
- (e) cyfanswm y nitrogen sydd ynddo, ac
- (f) cyfanswm y nitrogen sy'n debygol o fod ar gael, o'r tail organig y bwriedir ei daenu, i'r cnwd ei amsugno yn y tymor tyfu y'i taenir ynddo.

(3) Cyn taenu gwrraith nitrogen, rhaid i'r meddiannydd gofnodi—

- (a) y maint sydd ei angen, a
- (b) y dyddiad arfaethedig ar gyfer taenu (y mis).

Cyfanswm y nitrogen sydd i'w daenu ar ddaliad

8. Ni waeth beth fo'r ffigur yn y cynllun, rhaid i feddiannydd sicrhau na fydd cyfanswm—

- (a) y nitrogen o wrtaith nitrogen a weithgynhyrchwyd, a
- (b) y nitrogen sydd ar gael i'r cnwd ei amsugno o dail organig yn y tymor tyfu y'i taenir ynddo, a gyfrifir yn unol â rheoliad 9,

yn fwy yn ystod unrhyw gyfnod o 12 mis na'r terfynau a bennir yn rheoliad 10.

Cyfrifo maint y nitrogen sydd ar gael i'r cnwd ei amsugno o dail organig

9.—(1) Rhaid i'r meddiannydd gadarnhau cyfanswm y nitrogen mewn tail da byw, at ddibenion rheoliad 8, drwy—

- (a) defnyddio'r tabl yn Rhan 1 o Atodlen 3, neu
- (b) samplu a dadansoddi yn unol â Rhan 2 o Atodlen 3.

Additional information to be recorded during the year

7.—(1) Before spreading organic manure, the occupier must on each occasion calculate the amount of nitrogen from that manure that is likely to be available for crop uptake in the growing season in which it is spread.

(2) The occupier must, before spreading, record—

- (a) the area on which the organic manure will be spread,
- (b) the quantity of organic manure to be spread,
- (c) the planned date for spreading (month),
- (d) the type of organic manure,
- (e) the total nitrogen content, and
- (f) the amount of nitrogen likely to be available from the organic manure intended to be spread for crop uptake in the growing season in which it is spread.

(3) Before spreading nitrogen fertiliser, the occupier must record—

- (a) the amount required, and
- (b) the planned date for spreading (month).

Total nitrogen spread on a holding

8. Irrespective of the figure in the plan, an occupier must ensure that the total amount of—

- (a) nitrogen from manufactured nitrogen fertiliser, and
- (b) nitrogen available for crop uptake from organic manure, in the growing season in which it is spread calculated in accordance with regulation 9,

does not in any 12 month period exceed the limits set out in regulation 10.

Calculating the amount of nitrogen available for crop uptake from organic manure

9.—(1) The occupier must establish the total amount of nitrogen in livestock manure, for the purposes of regulation 8, by—

- (a) using the table in Part 1 of Schedule 3, or
- (b) sampling and analysis in accordance with Part 2 of Schedule 3.

(2) Unwaith y bydd cyfanswm y nitrogen mewn tail da byw wedi ei ganfod, rhagdybir y canrannau canlynol er mwyn cadarnhau maint y nitrogen yn y tail da byw sydd ar gael i'r cnwd ei amsugno yn y tymor tyfu y'i taenir ynddo.

(2) Once the total amount of nitrogen in the livestock manure has been determined, the following percentages are assumed in order to establish the amount of nitrogen in the livestock manure that is available for crop uptake in the growing season in which it is spread.

Y ganran sydd ar gael

<i>Math o dail da byw</i>	<i>Maint y nitrogen sydd ar gael i'r cnwd ei amsugno yn y tymor tyfu y'i taenir ynddo</i>
Slyri gwartheg	40 %
Slyri moch	50 %
Tail dofednod	30 %
Tail da byw eraill	10 %

Available percentage

<i>Type of livestock manure</i>	<i>Amount of nitrogen available for crop uptake in the growing season in which it is spread</i>
Cattle slurry	40 %
Pig slurry	50 %
Poultry manure	30 %
Other livestock manure	10 %

(3) Mewn perthynas â phob tail organig arall, rhaid i'r meddiannydd gadarnhau cyfanswm y nitrogen sydd ar gael i'r cnwd ei amsugno yn y tymor tyfu y'i taenir ynddo, at ddibenion rheoliad 8—

(3) In relation to all other organic manure, the occupier must establish the total amount of nitrogen available for crop uptake in the growing season in which it is spread, for the purposes of regulation 8—

- (a) drwy gyfeirio at ddadansoddiadau technegol a ddarperir gan y cyflenwr,
- (b) i'r graddau nad oes gwybodaeth o'r fath ar gael, drwy gyfeirio at y gwerthoedd a roddir yn y Canllawiau Rheoli Maethynnau (RB 209)(1), neu
- (c) drwy samplu a dadansoddi yn unol â Rhan 2 o Atodlen 3.

- (a) by reference to technical analyses provided by the supplier,
- (b) to the extent that such information is unavailable, by reference to the values given in the Nutrient Management Guide (RB209)(1), or
- (c) by sampling and analysis in accordance with Part 2 of Schedule 3.

Terfynau nitrogen uchaf fesul cnwd

10. Cyfanswm y nitrogen y caniateir ei daenu ar unrhyw gnwd a restrir yn y golofn gyntaf isod yw'r ffigur a roddir yn yr ail golofn isod, wedi ei addasu yn unol â'r nodiadau i'r tabl, ac wedi ei luosi â chyfanswm yr arwynebedd, mewn hectarau, o'r cnwd hwnnw a heuwyd ar y daliad.

Maximum nitrogen limits by crop

10. The total amount of nitrogen permitted to be spread on any crop listed in the first column below is the figure given in the second column below, adjusted in accordance with the notes to the table and multiplied by the total area in hectares of that crop sown on the holding.

Uchafsymiau nitrogen

<i>Cnwd</i>	<i>Maint y nitrogen ganiateir (kg)^(a)</i>	<i>y Cynnyrch a safonol (tunnell/ha)</i>
Merllys	150	dd/g
Gwenith a heuir yn yr hydref neu'r gaeaf cynnar	220 ^{(b)(c)(d)}	8.0
Betys (coch)	350	dd/g
Ysgewyll	350	dd/g
Brwsel		
Bresych	350	dd/g

Maximum nitrogen

<i>Crop</i>	<i>Permitted amount of nitrogen (kg)^(a)</i>	<i>Standard yield of (tonne/ha)</i>
Asparagus	150	n/a
Autumn or early winter sown wheat	220 ^{(b)(c)(d)}	8.0
Beetroot	350	n/a
Brussels sprouts	350	n/a
Cabbage	350	n/a

(1) <https://ahdb.org.uk/RB209>. Gellir cael copi oddi wrth y Bwrdd Datblygu Amaethyddiaeth a Garddwriaeth.

(1) <https://ahdb.org.uk/RB209>. A copy can be obtained from AHDB (the Agricultural and Horticultural Development Board).

Calabrese	350	dd/g
Blodfresych	350	dd/g
Moron	150	dd/g
Seleri	250	dd/g
Courgettes	250	dd/g
Corffa	250	dd/g
Ffa maes	0	dd/g
Indrawn porthi	150	dd/g
Porfa	300 ^(f)	dd/g
Cennin	350	dd/g
Letys	250	dd/g
Winwns	250	dd/g
Pannas	250	dd/g
Pys	0	dd/g
Tatws	270	dd/g
Radis	150	dd/g
Ffa dringo	250	dd/g
Gwenith a heuir yn y gwanwyn	180 ^{(c)(d)}	7.0
Haidd y gwanwyn	150 ^(c)	5.5
Betys siwgr	120	dd/g
Swêds	150	dd/g
India-corn	250	dd/g
Maip	250	dd/g
Haidd y gaeaf	180 ^{(b)(c)}	6.5
Rêp had olew y gaeaf	250 ^(e)	3.5

Calabrese	350	n/a
Cauliflower	350	n/a
Carrots	150	n/a
Celery	250	n/a
Courgettes	250	n/a
Dwarf bean	250	n/a
Field beans	0	n/a
Forage maize	150	n/a
Grass	300 ^(f)	n/a
Leeks	350	n/a
Lettuce	250	n/a
Onions	250	n/a
Parsnips	250	n/a
Peas	0	n/a
Potatoes	270	n/a
Radish	150	n/a
Runner beans	250	n/a
Spring-sown wheat	180 ^{(c)(d)}	7.0
Spring barley	150 ^(c)	5.5
Sugar beet	120	n/a
Swedes	150	n/a
Sweetcorn	250	n/a
Turnips	250	n/a
Winter barley	180 ^{(b)(c)}	6.5
Winter oilseed rape	250 ^(e)	3.5

^(a) Caniateir 80 kg yr hectar yn ychwanegol ar gyfer pob cnwd a dyfir mewn caeau os dodwyd gwellt neu slwtsh papur ar y cnwd presennol neu'r cnwd blaenorol.

^(b) Caniateir 20 kg yr hectar yn ychwanegol ar gaeau sydd â phridd tenau (ac eithrio priddoedd tenau sy'n gorwedd ar dywodfaen).

^(c) Caniateir 20 kg yr hectar yn ychwanegol am bob tunnell y mae'r cynnyrch disgwylidig yn uwch na'r cynnyrch safonol.

^(d) Caniateir 40 kg yr hectar yn ychwanegol ar gyfer rhywogaethau o wenith melino.

^(e) Mae hyn yn cynnwys unrhyw nitrogen a ddir fel esemptiad o'r cyfnod gwaharddedig ar gyfer gwrtaith nitrogen a weithgynhyrchwyd. Ceir cynyddu'r maint a ganiateir hyd at 30 kg yr hectar am bob hanner tunnell y mae'r cynnyrch disgwylidig yn uwch na'r cynnyrch safonol.

^(f) Caniateir 40 kg yr hectar yn ychwanegol ar gyfer porfa a dorri deirgwaith, o leiaf, bob blwyddyn.

^(a) An additional 80 kg per hectare is permitted to all crops grown in fields if the current or previous crop has had straw or paper sludge applied to it.

^(b) An additional 20 kg per hectare is permitted on fields with shallow soil (other than shallow soils over sandstone).

^(c) An additional 20 kg per hectare is permitted for every tonne that the expected yield exceeds the standard yield.

^(d) An additional 40 kg per hectare is permitted to milling wheat varieties.

^(e) This is inclusive of any nitrogen that is applied as an exemption to the closed period for manufactured nitrogen fertiliser. The permitted amount may be increased by up to 30 kg per hectare for every half tonne that expected yield exceeds the standard yield.

^(f) An additional 40 kg per hectare is permitted to grass that is cut at least three times a year.

RHAN 4

Rheoli'r broses o daenu gwrtaiith nitrogen

Mapiau risg

11.—(1) Rhaid i feddiannydd daliad sy'n taenu tail organig ar y daliad hwnnw gynnal map o'r daliad ("map risg") yn unol â'r rheoliad hwn.

(2) Os bydd amgylchiadau'n newid, rhaid i'r meddiannydd ddiweddarau'r map risg o fewn tri mis i'r newid.

(3) Rhaid i'r map risg ddangos—

- (a) pob cae, ynghyd â'i arwynebedd mewn hectarau,
- (b) yr holl ddyfroedd wyneb,
- (c) unrhyw dyllau turio, ffynhonnau neu bydewau sydd ar y daliad neu sydd o fewn 50 metr i ffin y daliad,
- (d) y rhannau â phriddoedd tywodlyd neu denau,
- (e) tir sydd ar oledf o fwy na 12°,
- (f) tir sydd o fewn 10 metr i ddyfroedd wyneb,
- (g) tir sydd o fewn 50 metr i dwll turio, ffynnon neu bydew,
- (h) draeniau tir (ac eithrio pibell anhydraidd sydd wedi ei selio);
- (i) safleoedd sy'n addas ar gyfer tomenni dros dro mewn caeau os bwriedir defnyddio'r dull hwn o storio tail, a
- (j) tir y mae'r risg o oferu drosto yn isel (mae hyn yn ddewisol i feddiannydd nad yw'n bwriadu taenu tail ar dir y mae'r risg o oferu drosto yn isel yn ystod y cyfnod storio yn unol â rheoliad 29).

(4) Os yw meddiannydd yn taenu tail organig drwy ddefnyddio cyfarpar taenu manwl hyd at 6 metr oddi wrth ddŵr wyneb fel y caniateir gan reoliad 14(1), rhaid i'r map risg nodi'r tir sydd o fewn 6 metr i ddyfroedd wyneb.

(5) Rhaid i'r meddiannydd gadw copi o'r map risg.

Pryd i daenu gwrtaiith

12.—(1) Rhaid i feddiannydd sy'n bwriadu taenu gwrtaiith nitrogen gynnal arolygiad o'r caeau yn gyntaf, er mwyn ystyried y risg y gallai nitrogen fynd i mewn i ddŵr wyneb.

(2) Ni chaiff unrhyw berson daenu gwrtaiith nitrogen ar y tir hwnnw os oes risg sylweddol y byddai nitrogen yn mynd i mewn i ddŵr wyneb, gan gymryd i ystyriaeth yn benodol—

PART 4

Controlling the spreading of nitrogen fertiliser

Risk maps

11.—(1) An occupier of a holding who spreads organic manure on that holding must maintain a map of the holding ("a risk map") in accordance with this regulation.

(2) If circumstances change the occupier must update the risk map within three months of the change.

(3) The risk map must show—

- (a) each field, with its area in hectares,
- (b) all surface waters,
- (c) any boreholes, springs or wells on the holding or within 50 metres of the holding boundary,
- (d) areas with sandy or shallow soils,
- (e) land with an incline greater than 12°,
- (f) land within 10 metres of surface waters,
- (g) land within 50 metres of a borehole, spring or well,
- (h) land drains (other than a sealed impermeable pipe),
- (i) sites suitable for temporary field heaps if this method of storing manure is to be used, and
- (j) land that has a low run-off risk (this is optional for an occupier who does not intend to spread manure on low run-off risk land during the storage period in accordance with regulation 29).

(4) If an occupier spreads organic manure by using precision spreading equipment up to 6 metres from surface water as permitted by regulation 14(1), the risk map must identify land within 6 metres of surface waters.

(5) The occupier must keep a copy of the risk map.

When to spread fertiliser

12.—(1) An occupier who intends to spread nitrogen fertiliser must first undertake a field inspection to consider the risk of nitrogen getting into surface water.

(2) No person may spread nitrogen fertiliser on that land if there is a significant risk of nitrogen getting into surface water, taking into account in particular—

- (a) goledddf y tir, yn enwedig os yw'r goledddf yn fwy na 12°,
- (b) unrhyw orchudd tir,
- (c) pa mor agos yw'r tir at ddŵr wyneb,
- (d) yr amodau tywydd,
- (e) y math o bridd, ac
- (f) presenoldeb draeniau tir.

(3) Ni chaiff unrhyw berson daenu gwrtaith nitrogen os yw'r pridd yn ddyfrlawn, dan ddŵr, wedi ei orchuddio ag eira, wedi rhewi neu os oedd y pridd wedi rhewi am fwy na 12 awr yn ystod y 24 awr flaenorol.

Taenu gwrtaith nitrogen a weithgynhyrchwyd ger dŵr wyneb

13. Ni chaiff unrhyw berson daenu gwrtaith nitrogen a weithgynhyrchwyd o fewn 2 fetr i ddŵr wyneb.

Taenu tail organig ger dŵr wyneb, tyllau turio, ffynhonnau neu bydewau

14.—(1) Ni chaiff unrhyw berson daenu tail organig o fewn 10 metr i ddŵr wyneb oni ddefnyddir cyfarpar taenu manwl, ac yn yr achos hwnnw ni chaiff unrhyw berson daenu tail organig o fewn 6 metr i ddŵr wyneb.

(2) Ond caniateir taenu tail da byw yno (ac eithrio slyri a thail dofednod)—

- (a) os taenir ef ar dir a reolir ar gyfer bridio adar hirgoes neu fel glaswelltir lled-naturiol cyfoethog ei rywogaethau ac os yw'r tir—
 - (i) yn dir yr hysbyswyd ei fod yn Safle o Ddiddordeb Gwyddonol Arbennig o dan Ddeddf Bywyd Gwyllt a Chefn Gwlad 1981(1), neu
 - (ii) yn ddarostyngedig i ymrwymiad amaeth-amgylcheddol a wnaed o dan Reoliad y Cyngor (EC) Rhif 1698/2005(2), neu Reoliad (EU) 1305/2013(3),
- (b) os taenir ef rhwng 1 Mehefin a 31 Hydref yn gynwysedig,
- (c) os na thaenir ef yn uniongyrchol ar ddŵr wyneb, a
- (d) os nad yw'r cyfanswm blynyddol yn fwy na 12.5 tunnell yr hectar.

(3) Ni chaiff unrhyw berson daenu tail organig o fewn 50 metr i dwll turio, ffynnon neu bydew.

- (a) the slope of the land, particularly if the slope is more than 12°,
- (b) any ground cover,
- (c) the proximity to surface water,
- (d) the weather conditions,
- (e) the soil type, and
- (f) the presence of land drains.

(3) No person may spread nitrogen fertiliser if the soil is waterlogged, flooded, snow covered, frozen or has been frozen for more than 12 hours in the previous 24 hours.

Spreading manufactured nitrogen fertiliser near surface water

13. No person may spread manufactured nitrogen fertiliser within 2 metres of surface water.

Spreading organic manure near surface water, boreholes, springs or wells

14.—(1) No person may spread organic manure within 10 metres of surface water unless using precision spreading equipment in which case no person may spread organic manure within 6 metres of surface water.

(2) But livestock manure (other than slurry and poultry manure) may be spread there if—

- (a) it is spread on land managed for breeding wader birds or as a species-rich semi-natural grassland and the land is—
 - (i) notified as a Site of Special Scientific Interest under the Wildlife and Countryside Act 1981(1), or
 - (ii) subject to an agri-environment commitment entered into under Council Regulation (EC) 1698/2005(2), or Regulation (EU) 1305/2013(3),
- (b) it is spread between 1 June and 31 October inclusive,
- (c) it is not spread directly on to surface water, and
- (d) the total annual amount does not exceed 12.5 tonnes per hectare.

(3) No person may spread organic manure within 50 metres of a borehole, spring or well.

(1) 1981 p. 69.

(2) EUR 1698/2005.

(3) EUR 1305/2013, fel y'i diwygiwyd gan O.S. 2019/748 a 764.

(1) 1981 c. 69.

(2) EUR 1698/2005.

(3) EUR 1305/2013, as amended by S.I. 2019/748 and 764.

(4) At ddibenion y rheoliad hwn diffinnir “cyfarpar taenu manwl” fel system gwadnau llusg, bar diferion neu chwistrellydd.

Rheoli'r modd y taenir gwartaith nitrogen

15.—(1) Yn ddarostyngedig i baragraff (2), rhaid i unrhyw berson sy'n taenu slyri ddefnyddio cyfarpar taenu sydd â thafllwybr taenu isel, sef is na 4 metr o'r ddaear.

(2) Caniateir defnyddio cyfarpar taenu sydd â thafllwybr taenu sy'n fwy na 4 metr o'r ddaear ar dir y mae'r risg o oferu drosto yn isel pan fydd cyfarpar o'r fath yn gallu cyflawni cyfartaledd cyflymder dodi slyri heb fod yn fwy na 2 mm yr awr pan fydd wrthi'n gweithredu'n ddi-dor.

(3) Rhaid i unrhyw berson sy'n taenu gwartaith nitrogen ei daenu mor fanwl gywir ag y bo modd.

Corffori tail organig yn y ddaear

16.—(1) Rhaid i unrhyw berson sy'n dodi tail organig ar wyneb pridd moel neu sofl (ac eithrio pridd sydd wedi ei hau) sicrhau y corfforir y tail yn y pridd yn unol â'r rheoliad hwn.

(2) Rhaid corffori tail dofednod cyn gynted ag y bo'n ymarferol, ac o fewn 24 awr fan hwyraf.

(3) Rhaid corffori slyri a hylif slwtsh carthion treuliedig (hynny yw, hylif sy'n dod o drin slwtsh carthion drwy dreulio anerobig) cyn gynted ag y bo'n ymarferol, ac o fewn 24 awr fan hwyraf, oni ddodwyd y slyri a'r hylif gan ddefnyddio cyfarpar o fath a ddisgrifir yn rheoliad 14(4).

(4) Rhaid corffori unrhyw dail organig arall (ac eithrio tail organig a daenir fel tomwellt ar bridd tywodlyd) yn y pridd cyn gynted ag y bo'n ymarferol, ac o fewn 24 awr fan hwyraf, os yw'r tir o fewn 50 metr i ddŵr wyneb ac yn goleddfu mewn modd a allai achosi goferu i'r dŵr hwnnw.

RHAN 5

Cyfnodau gwaharddedig ar gyfer taenu gwartaith nitrogen

Ystyr “tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd”

17. Yn y Rhan hon, ystyr “tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd” yw tail organig y mae mwy na 30 % o gyfanswm y nitrogen sydd ynddo ar gael i'r cnwd ar yr adeg y taenir y tail.

(4) For the purposes of this regulation, “precision spreading equipment” is defined as a trailing shoe, dribble bar or injector system.

Controlling how nitrogen fertiliser is spread

15.—(1) Subject to paragraph (2), any person spreading slurry must use spreading equipment with a low spreading trajectory, that is, below 4 metres from the ground.

(2) Spreading equipment with a spreading trajectory of more than 4 metres from the ground may be used on land that has a low run off risk where such equipment can achieve an average slurry application rate of not more than 2 mm per hour when it is operating continuously.

(3) Any person spreading nitrogen fertiliser must do so in as accurate a manner as possible.

Incorporating organic manure into the ground

16.—(1) Any person who applies organic manure onto the surface of bare soil or stubble (other than soil that has been sown) must ensure that it is incorporated into the soil in accordance with this regulation.

(2) Poultry manure must be incorporated as soon as practicable, and within 24 hours at the latest.

(3) Slurry and liquid digested sewage sludge (that is, liquid from the treatment of sewage sludge by anaerobic digestion) must be incorporated as soon as practicable, and within 24 hours at the latest, unless it was applied using equipment of a type described in regulation 14(4).

(4) Any other organic manure (other than organic manure spread as a mulch on sandy soil) must be incorporated into the soil as soon as practicable, and within 24 hours at the latest, if the land is within 50 metres of surface water and slopes in such a way that there may be run-off to that water.

PART 5

Closed periods for spreading nitrogen fertiliser

Meaning of “organic manure with high readily available nitrogen”

17. In this Part, “organic manure with high readily available nitrogen” means organic manure in which more than 30 % of the total nitrogen content is available to the crop at the time of spreading.

Cyfnodau gwaharddedig ar gyfer taenu tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd

18. Yn ddarostyngedig i reoliadau 19 ac 20, ni chaiff unrhyw berson daenu tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd ar dir rhwng y dyddiadau canlynol, sydd bob un ohonynt yn ddyddiadau cynwysedig (“y cyfnod gwaharddedig”)—

Y cyfnod gwaharddedig

<i>Math o Bridd</i>	<i>Glaswelltir</i>	<i>Tir tro</i>
Pridd tywodlyd neu denau	1 Medi i 31 Rhagfyr	1 Awst i 31 Rhagfyr
Pob math arall o bridd	15 Hydref i 15 Ionawr	1 Hydref i 31 Ionawr

Esemptiadau: cnydau a heuir cyn 15 Medi

19. Caniateir taenu tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd ar dir tro lle mae'r pridd yn dywodlyd neu'n denau rhwng 1 Awst a 15 Medi yn gynwysedig, ar yr amod yr heuir y cnwd ar neu cyn 15 Medi.

Esemptiadau ar gyfer daliadau organig

20. Caiff meddiannydd daliad sydd wedi cyflwyno ei ymgymeriad i'r system reoli y cyfeirir ati yn Erthygl 27 o Reoliad y Cyngor (EC) 834/2007(1) daenu tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd ar unrhyw adeg—

- ar gnydau a restrir yn y tabl yn Atodlen 4 (cnydau a ganiateir am y cyfnod gwaharddedig), neu
- ar gnydau eraill yn unol â chynghor ysgrifenedig gan berson sy'n aelod o'r Cynllun Ardystio a Hyfforddi Cynghorwyr am Wrteithiau(2),

ar yr amod na fydd pob hectar y mae tail organig yn cael ei daenu arno yn cael mwy na chyfanswm o 150 kg o nitrogen rhwng dechrau'r cyfnod gwaharddedig a diwedd Chwefror.

Cyfyngiadau ar ôl y cyfnod gwaharddedig

21. O ddiwedd y cyfnod gwaharddedig tan ddiwedd Chwefror—

- 30 metr ciwbig yr hectar yw'r uchafswm o slyri y caniateir ei daenu ar unrhyw un adeg ac 8 tunnell yr hectar yw'r uchafswm o dail

Closed periods for spreading organic manure with high readily available nitrogen

18. Subject to regulations 19 and 20, no person may spread organic manure with high readily available nitrogen on land between the following dates, all inclusive (“the closed period”)—

The closed period

<i>Soil Type</i>	<i>Grassland</i>	<i>Tillage land</i>
Sandy or shallow soil	1 September to 31 December	1 August to 31 December
All other soils	15 October to 15 January	1 October to 31 January

Exemptions: crops sown before 15 September

19. Spreading organic manure with high readily available nitrogen on tillage land with sandy or shallow soil is permitted between 1 August and 15 September inclusive provided that the crop is sown on or before 15 September.

Exemptions for organic holdings

20. An occupier of a holding who has submitted his or her undertaking to the control system referred to in Article 27 of Council Regulation (EC) 834/2007(1) may spread organic manure with high readily available nitrogen at any time on—

- crops listed in the table in Schedule 4 (permitted crops for the closed period), or
- other crops in accordance with written advice from a person who is a member of the Fertiliser Advisers Certification and Training Scheme(2),

provided that each hectare on which organic manure is spread does not receive more than 150 kg total nitrogen between the start of the closed period and the end of February.

Restrictions following the closed period

21. From the end of the closed period until the end of February—

- the maximum amount of slurry that may be spread at any one time is 30 cubic metres per hectare and the maximum amount of poultry

(1) EUR 834/2007, fel y'i diwygiwyd gan O.S. 2019/693 a 831.

(2) Gweinyddir y cynllun gan Basis Registration Ltd, a gellir cael rhestr o bersonau cymwysedig drwy wneud cais i'r cwmni, neu ar ei wefan, www.basis-reg.com.

(1) EUR 834/2007, as amended by S.I. 2019/693 and 831.

(2) The scheme is administered by Basis Registration Ltd, and a list of qualified persons is available from them on request or at their website, www.basis-reg.com.

dofednod y caniateir ei daenu ar unrhyw un adeg, a

- (b) rhaid bod o leiaf dair wythnos rhwng pob taeniad.

manure that may be spread at any one time is 8 tonnes per hectare, and

- (b) there must be at least three weeks between each spreading.

Adegau pan waherddir taenu gwrtaith nitrogen a weithgynhyrchwyd

22.—(1) Ni chaiff unrhyw berson daenu gwrtaith nitrogen a weithgynhyrchwyd ar dir yn ystod y cyfnodau canlynol (mae pob dyddiad yn gynwysedig)—

- (a) yn achos glaswelltir, o 15 Medi i 15 Ionawr, neu
(b) yn achos tir tro, o 1 Medi i 15 Ionawr.

(2) Caniateir taenu gwrtaith yn ystod y cyfnodau hyn ar y cynydau a bennir yn y Tabl yn Atodlen 4, ar yr amod nad eir dros ben y gyfradd uchaf yng ngholofn 2.

(3) Caniateir taenu yn ystod y cyfnodau hyn ar gnydau nad ydynt yn Atodlen 4 ar sail cyngor ysgrifenedig gan berson sy'n aelod o'r Cynllun Ardystio a Hyfforddi Cyngorwyr am Wrteithiau.

Times in which spreading manufactured nitrogen fertiliser is prohibited

22.—(1) No person may spread manufactured nitrogen fertiliser on land during the following periods (all dates inclusive)—

- (a) in the case of grassland, from 15 September to 15 January, or
(b) in the case of tillage land, from 1 September to 15 January.

(2) Spreading fertiliser during these periods is permitted on the crops specified in the Table in Schedule 4, provided that the maximum rate in column 2 is not exceeded.

(3) Spreading during those periods on crops not in Schedule 4 is permitted on the basis of written advice from a person who is a member of the Fertiliser Advisers Certification and Training Scheme.

RHAN 6

Storio tail organig a silwair

Storio tail organig

23. Rhaid i feddiannydd daliad sy'n storio unrhyw dail organig (ac eithrio slyri), neu unrhyw sarn sydd wedi ei halogi ag unrhyw dail organig, ei storio—

- (a) mewn llestr,
(b) mewn adeilad dan do,
(c) ar wyneb anhydraidd, neu
(d) yn achos tail solet y gellir ei bentyrru'n domen ar ei phen ei hun, ac nad oes hylif yn draenio o'r deunydd, ar safle dros dro mewn cae.

Gwneud neu storio silwair

24.—(1) Yn ddarostyngedig i baragraff (3), rhaid i berson sydd â silwair sy'n cael ei wneud neu ei storio dan ei ofal neu ei reolaeth sicrhau—

- (a) bod y silwair yn cael ei gadw mewn seilo sy'n bodloni gofynion Atodlen 5, neu
(b) bod y silwair yn cael ei gywasgu i fynau—
(i) sydd wedi eu lapio a'u selio mewn pilennau anhydraidd, neu wedi eu cau mewn bagiau anhydraidd, a

PART 6

Storage of organic manure and silage

Storage of organic manure

23. An occupier of a holding who stores any organic manure (other than slurry), or any bedding contaminated with any organic manure, must store it—

- (a) in a vessel,
(b) in a covered building,
(c) on an impermeable surface, or
(d) in the case of solid manure that can be stacked in a free standing heap and that does not drain liquid from the material, on a temporary field site.

Making or storage of silage

24.—(1) Subject to paragraph (3), a person who has custody or control of silage that is being made or stored must ensure that—

- (a) the silage is kept in a silo that satisfies the requirements of Schedule 5, or
(b) the silage is compressed into bales that—
(i) are wrapped and sealed into impermeable membranes, or enclosed in impermeable bags, and

(ii) sydd wedi eu storio o leiaf 10 metr oddi wrth unrhyw ddyfroedd croyw mewndirol neu ddyfroedd arfordirol y gallai elifiant sy'n dianc o'r byrnau fynd i mewn iddynt, neu

(c) os mai cnwd yw'r silwair sy'n cael ei wneud yn silwair maes (hynny yw, silwair sy'n cael ei wneud ar dir agored drwy ddull gwahanol i'r dull byrnau y cyfeirir ato yn is-baragraff (b)), neu os mai silwair sy'n cael ei storio ar dir agored ydyw—

(i) bod CANC yn cael ei hysbysu o'r man lle bydd y silwair yn cael ei wneud neu ei storio o leiaf 14 o ddiwrnodau cyn defnyddio'r fan honno at y diben hwnnw am y tro cyntaf, a

(ii) bod y fan honno o leiaf 10 metr oddi wrth unrhyw ddyfroedd croyw mewndirol neu ddyfroedd arfordirol, ac o leiaf 50 metr oddi wrth fan tynnu dŵr perthnasol agosaf unrhyw ffynhonnell cyflenwi dŵr warchoddedig y gallai elifiant silwair fynd i mewn iddynt pe bai'n dianc.

(2) At ddibenion paragraff (1)(c)(ii), mae ffynhonnell cyflenwi dŵr yn ffynhonnell cyflenwi dŵr warchoddedig—

(a) os oes unrhyw dynnu dŵr perthnasol o'r ffynhonnell wedi ei drwyddedu o dan Ran 2 o Ddeddf Adnoddau Dŵr 1991(1), neu

(b) os yw'r person sy'n gwneud neu'n storio'r silwair yn ymwybodol o leoliad y ffynhonnell—

(i) cyn dechrau ar wneud y silwair, neu

(ii) os gwnaed y silwair mewn man arall, cyn ei storio ar y tir dan sylw.

(3) Nid yw paragraff (1) yn gymwys i silwair tra ei fod yn cael ei storio dros dro mewn cynhwysydd, ôl-gerbyd neu gerbyd mewn cysylltiad â'i gludo o gwmpas y fferm neu fan arall.

(4) Ni chaiff person sydd â bwrn silwair dan ei ofal neu ei reolaeth agor na symud ymaith yr hyn sy'n lapio'r bwrn o fewn 10 metr i unrhyw ddyfroedd croyw mewndirol neu ddyfroedd arfordirol y gallai elifiant silwair, o ganlyniad, fynd i mewn iddynt.

(5) Yn y rheoliad hwn—

(a) ystyr "tynnu dŵr perthnasol" yw tynnu dŵr ar gyfer ei ddefnyddio—

(i) i'w yfed gan bobl, neu

(ii) are stored at least 10 metres from any inland freshwaters or coastal waters that effluent escaping from the bales could enter, or

(c) if the silage is a crop being made into field silage (that is, silage made on open land by a method different from the baling method referred to in sub-paragraph (b)) or silage that is being stored on open land—

(i) NRBW is given notice of the place where the silage is to be made or stored at least 14 days before the place is first used for that purpose, and

(ii) the place is at least 10 metres from any inland freshwaters or coastal waters, and at least 50 metres from the nearest relevant water abstraction point of any protected water supply source that silage effluent could enter if it escaped.

(2) For paragraph (1)(c)(ii), a water supply source is a protected water supply source if—

(a) any relevant water abstraction from the source is licensed under Part 2 of the Water Resources Act 1991(1), or

(b) the person making or storing the silage was aware of the source's location—

(i) before the making of the silage began, or

(ii) if the silage was made elsewhere, before it was stored on the land in question.

(3) Paragraph (1) does not apply to silage while it is stored temporarily in a container, trailer or vehicle in connection with its transport about the farm or elsewhere.

(4) A person who has custody or control of a silage bale must not open or remove the wrapping of the bale within 10 metres of any inland freshwaters or coastal waters which silage effluent could enter as a result.

(5) In this regulation—

(a) "relevant water abstraction" means the abstraction of water for use for—

(i) human consumption, or

(1) 1991 p. 57.

(1) 1991 c. 57.

- (ii) at ddibenion domestig (o fewn yr ystyr a roddir i “*domestic purposes*” gan adran 218 o Ddeddf y Diwydiant Dŵr 1991(1)) heblaw at ei yfed gan bobl, neu
 - (iii) i weithgynhyrchu bwyd neu ddiod i’w fwyta neu i’w yfed gan bobl, a
- (b) ystyr “ffynhonnell cyflenwi dŵr” yw dyfroedd croyw mewndirol neu ddyfroedd daear y tynnir dŵr perthnasol ohonynt neu y trwyddedir tynnu dŵr perthnasol ohonynt.

- (ii) domestic purposes (within the meaning given by section 218 of the Water Industry Act 1991(1)) other than human consumption, or
 - (iii) manufacturing food or drink for human consumption, and
- (b) “water supply source” means inland freshwaters or ground waters from which a relevant water abstraction is made or licensed to be made.

Storio slyri

25.—(1) Yn ddarostyngedig i baragraff (2), rhaid i berson sydd â slyri dan ei ofal neu ei reolaeth feddu ar system storio slyri sy’n bodloni gofynion Atodlen 6, a rhaid storio’r slyri yn y system honno.

(2) Nid yw paragraff (1) yn gymwys i slyri tra bo’n cael ei storio dros dro mewn tancer sy’n cael ei ddefnyddio i gludo slyri ar ffyrdd neu o gwmpas fferm.

Storage of slurry

25.—(1) Subject to paragraph (2), a person having custody or control of slurry must have a slurry storage system that satisfies the requirements of Schedule 6 and the slurry must be stored in that system.

(2) Paragraph (1) does not apply to slurry while it is stored temporarily in a tanker that is used for transporting slurry on roads or about a farm.

Esemptiadau i’r gofynion storioq

26.—(1) Nid yw rheoliadau 24(1) a 25(1) yn gymwys i seilo neu system storio slyri—

- (a) a ddefnyddid, cyn 1 Mawrth 1991, at y diben o wneud silwair neu storio slyri,
- (b) onis defnyddid cyn 1 Mawrth 1991 at y diben hwnnw, a adeiladwyd cyn y dyddiad hwnnw ar gyfer y defnydd hwnnw, neu
- (c) yr oedd, mewn perthynas ag ef neu hi—
 - (i) contract wedi ei wneud cyn 1 Mawrth 1991 i adeiladu, ehangu’n sylweddol neu ailadeiladu’n sylweddol y seilo neu’r system storio slyri, a
 - (ii) gwaith o’r fath wedi cychwyn cyn y dyddiad hwnnw, ac
 yn y naill achos neu’r llall fod y gwaith wedi ei gwblhau cyn 1 Medi 1991.

Exemptions to the storage requirements

26.—(1) Regulations 24(1) and 25(1) do not apply to a silo or slurry storage system—

- (a) which, before 1 March 1991, was being used for the purpose of making silage or storing slurry,
- (b) where it was not used before 1 March 1991 for that purpose, it was constructed before that date for such use, or
- (c) in relation to which—
 - (i) a contract for its construction, substantial enlargement or substantial reconstruction was entered into before 1 March 1991, or
 - (ii) such work was commenced before that date, and
 in either case the work was completed before 1 September 1991.

Safleoedd dros dro mewn caeau

27.—(1) Ni chaiff safle dros dro mewn cae bod—

- (a) mewn cae sy’n agored i lifogydd neu fynd yn ddyfrlawn,
- (b) o fewn 50 metr i dwll turio, ffynnon neu bydew neu o fewn 10 metr i ddŵr wyneb neu ddraen tir (ac eithrio pibell anhydraidd sydd wedi ei selio),

Temporary field sites

27.—(1) A temporary field site must not be—

- (a) in a field liable to flooding or becoming waterlogged,
- (b) within 50 metres of a borehole, spring or well or within 10 metres of surface water or a land drain (other than a sealed impermeable pipe),

(1) 1991 p. 56.

(1) 1991 c. 56.

- (c) mewn unrhyw un lleoliad am fwy na 12 mis yn olynol, neu
- (d) yn yr un man ag un cynharach a adeiladwyd o fewn y ddwy flynedd diwethaf.

(2) Rhaid i unrhyw dail dofednod solet, nad oes sarn yn gymysg ag ef ac sy'n cael ei storio ar safle dros dro mewn cae, gael ei orchuddio â deunydd anhydraidd.

(3) Yn ychwanegol—

- (a) ni chaniateir symud uwchbridd o'r tir lle y bwriedir adeiladu safle dros dro mewn cae,
- (b) ni chaiff safle dros dro mewn cae bod o fewn 30 metr i gwrs ddŵr ar dir y nodir ar y map risg fod ei oleddf yn fwy na 12°, ac
- (c) rhaid cadw arwyneb unrhyw safle dros dro mewn cae mor fach ag y bo'n rhesymol ymarferol, er mwyn lleihau effeithiau trwytholchi gan ddŵr glaw.

Gwahanu slyri

28. Rhaid i'r broses o wahanu slyri i'w ffracsiynau solet a hylifol gael ei chyflawni'n fecanyddol neu ar wyneb anhydraidd lle mae'r ffracsiwn hylifol yn draenio i mewn i gynhwysydd addas.

Gofod ar gyfer storio

29.—(1) Rhaid i feddiannydd daliad sy'n cadw unrhyw un o'r anifeiliaid a bennir yn Atodlen 1 ddarparu digon o ofod i storio'r holl slyri a gynhyrchir ar y daliad yn ystod y cyfnod storio, a'r holl dail dofednod a gynhyrchir mewn buarth neu adeilad ar y daliad yn ystod y cyfnod storio.

(2) Rhaid cyfrifo cyfaint y tail a gynhyrchir gan yr anifeiliaid ar y daliad yn unol ag Atodlen 1.

(3) Rhaid bod gan storfa slyri y gofod i storio, yn ychwanegol at y tail, unrhyw ddŵr glaw, golchion neu hylif arall sy'n dod i mewn i'r llestr (naill ai'n uniongyrchol neu'n anuniongyrchol) yn ystod y cyfnod storio.

(4) Nid yw cyfleusterau storio'n angenrheidiol ar gyfer slyri na thail dofednod—

- (a) a anfonir oddi ar y daliad, neu
- (b) a daenir ar dir y mae'r risg o oferu drosto yn isel (ar yr amod bod hyn yn cael ei wneud yn unol â'r cyfyngiadau ar daenu yn y Rheoliadau hyn); ond yn yr achos hwn rhaid darparu cyfleusterau storio ar gyfer gwerth wythnos ychwanegol o dail fel mesur wrth gefn pe na bai'n bosibl taenu ar rai dyddiadau.

- (c) located in any single position for more than 12 consecutive months, or
- (d) located in the same place as an earlier one constructed within the last two years.

(2) Solid poultry manure that does not have bedding mixed into it and is stored on a temporary field site must be covered with an impermeable material.

(3) Further—

- (a) topsoil must not be removed from the ground upon which a temporary field site is to be constructed,
- (b) a temporary field site must not be located within 30 metres of a watercourse on land identified on the risk map as having an incline of greater than 12°, and
- (c) the surface area of a temporary field site must be as small as reasonably practicable to minimise the leaching effect of rainfall.

Separation of slurry

28. Separation of slurry into its solid and liquid fractions must either be carried out mechanically or on an impermeable surface where the liquid fraction drains into a suitable receptacle.

Storage capacity

29.—(1) An occupier of a holding who keeps any of the animals specified in Schedule 1 must provide sufficient storage for all slurry produced on the holding during the storage period, and all poultry manure produced in a yard or building on the holding during the storage period.

(2) The volume of the manure produced by the animals on the holding must be calculated in accordance with Schedule 1.

(3) A slurry store must have the capacity to store, in addition to the manure, any rainfall, washings or other liquid that enters the vessel (either directly or indirectly) during the storage period.

(4) Storage facilities are not necessary for slurry or poultry manure—

- (a) sent off the holding, or
- (b) spread on land that has a low run-off risk (provided that this is done in accordance with the restrictions on spreading in these Regulations); but in this case storage facilities for an additional one week's manure must be provided as a contingency measure in the event of spreading not being possible on some dates.

(5) At ddibenion y rheoliad hwn y “cyfnod storio” (mae pob dyddiad yn gynnwysedig) yw—

- (a) y cyfnod rhwng 1 Hydref ac 1 Ebrill ar gyfer moch a dofednod;
- (b) y cyfnod rhwng 1 Hydref ac 1 Mawrth ym mhob achos arall.

Hysbysiad yn gwneud gwaith etc. yn ofynnol

30.—(1) Caiff CANC, o dan amgylchiadau y mae’r Rheoliadau hyn yn gymwys iddynt, gyflwyno hysbysiad (“hysbysiad rheoliad 30”) i berson sydd â silwair neu slyri dan ei ofal neu ei reolaeth, neu sydd yn gyfrifol am y seilo, neu’r system storio slyri, yn ei gwneud yn ofynnol i’r person hwnnw wneud gwaith, neu gymryd rhagofalon neu gamau eraill, a bennir yn yr hysbysiad.

(2) Rhaid i’r gwaith, y rhagofalon neu’r camau eraill fod, ym marn CANC, yn briodol, o ystyried gofynion y Rheoliadau hyn, er mwyn lleihau i’r eithaf unrhyw risg sylweddol o lygru dyfroedd a reolir.

(3) Rhaid i’r hysbysiad—

- (a) pennu neu ddisgrifio’r gwaith y mae’n ofynnol i’r person ei wneud neu’r rhagofalon neu’r camau eraill y mae’n ofynnol iddo eu cymryd,
- (b) datgan y cyfnod y mae rhaid cydymffurfio ag unrhyw ofyniad o’r fath o’i fewn, ac
- (c) hysbysu’r person am effaith rheoliad 31.

(4) Y cyfnod i gydymffurfio a ddatgenir yn yr hysbysiad yw—

- (a) 28 niwrnod, neu
- (b) unrhyw gyfnod hwy sy’n rhesymol o dan yr amgylchiadau.

(5) Rhaid i berson y cyflwynwyd iddo hysbysiad rheoliad 30 gydymffurfio â gofynion yr hysbysiad hwnnw.

(6) Caiff CANC ar unrhyw adeg (gan gynnwys adeg ar ôl i’r cyfnod i gydymffurfio ddod i ben)—

- (a) tynnu’r hysbysiad yn ei ôl,
- (b) estyn y cyfnod i gydymffurfio ag unrhyw ofyniad yn yr hysbysiad, neu
- (c) gyda chydysniad y person y cyflwynir yr hysbysiad iddo, addasu gofynion yr hysbysiad.

(7) Rhaid i CANC dynnu’r hysbysiad yn ei ôl, estyn y cyfnod i gydymffurfio, neu addasu gofynion yr hysbysiad os cyfarwyddir ef i wneud hynny gan Weinidogion Cymru o dan reoliad 31(5).

(5) For the purposes of this regulation the “storage period” (all dates inclusive) is—

- (a) the period between 1 October and 1 April for pigs and poultry;
- (b) the period between 1 October and 1 March in any other case.

Notice requiring works etc.

30.—(1) NRBW may serve, on a person who has custody or control of silage or slurry or is responsible for a silo or slurry storage system, in circumstances in which these Regulations apply, a notice (“regulation 30 notice”) requiring the person to carry out works, or take precautions or other steps, specified in the notice.

(2) The works, precautions or other steps must be, in the opinion of NRBW, appropriate, having regard to the requirements of these Regulations, for reducing to a minimum any significant risk of pollution of controlled waters.

(3) The notice must—

- (a) specify or describe the works, precautions or other steps that the person is required to carry out or take,
- (b) state the period within which any such requirement is to be complied with, and
- (c) inform the person of the effect of regulation 31.

(4) The period for compliance stated in the notice is—

- (a) 28 days, or
- (b) such longer period as is reasonable in the circumstances.

(5) A person on whom a regulation 30 notice has been served must comply with the requirements of that notice.

(6) NRBW may at any time (including a time after the period for compliance has ended)—

- (a) withdraw the notice,
- (b) extend the period for compliance with any requirement of the notice, or
- (c) with the consent of the person on whom the notice is served, modify the requirements of the notice.

(7) NRBW must withdraw the notice, extend the period for compliance, or modify the requirements of the notice if so directed by the Welsh Ministers under regulation 31(5).

Apelau yn erbyn hysbysiadau rheoliad 30

31.—(1) Caiff person y cyflwynwyd iddo hysbysiad rheoliad 30, o fewn cyfnod o 28 niwrnod sy'n dechrau drannoeth y dyddiad y cyflwynwyd yr hysbysiad iddo (neu unrhyw gyfnod hwy a ganiateir gan Weinidogion Cymru), apelio i Weinidogion Cymru yn erbyn yr hysbysiad.

(2) Rhaid i apêl o dan y rheoliad hwn gael ei gwneud drwy i'r apelydd gyflwyno hysbysiad i Weinidogion Cymru.

(3) Rhaid i'r hysbysiad gynnwys datganiad o sail yr apêl neu rhaid i ddatganiad o'r fath ddod gydag ef.

(4) Cyn penderfynu ar apêl o dan y rheoliad hwn, rhaid i Weinidogion Cymru, os gofyn yr apelydd neu CANC iddynt wneud hynny, roi cyfle i'r apelydd neu CANC ymddangos ger eu bron a chael gwrandawriad gan berson a benodwyd gan Weinidogion Cymru at y diben hwnnw.

(5) Wrth benderfynu ar apêl o dan y rheoliad hwn, caiff Gweinidogion Cymru gyfarwyddo CANC—

- (a) i dynnu'r hysbysiad rheoliad 30 yn ei ôl,
- (b) i addasu unrhyw un neu ragor o'i ofynion,
- (c) i estyn y cyfnod i gydymffurfio ag unrhyw ofyniad, neu
- (d) i wrthod yr apêl.

(6) Estynnir y cyfnod i gydymffurfio â hysbysiad rheoliad 30 y gwnaed apêl yn ei erbyn, yn ddarostyngedig i unrhyw gyfarwyddyd o dan baragraff (5), fel ei fod yn dod i ben ar y dyddiad pan fydd Gweinidogion Cymru'n penderfynu'n derfynol ar yr apêl neu, os tynnir yr apêl yn ei hôl, ar ddyddiad ei thynnu'n ôl.

Hysbysiad o adeiladu etc.

32.—(1) Mae'r rheoliad hwn yn gymwys i unrhyw seilo neu system storio slyri y mae ei adeiladu neu ei hadeiladu i ddechrau ar neu ar ôl 28 Ebrill 2021 (“storfa newydd neu storfa wedi ei gwella”).

(2) Rhaid i berson sy'n bwriadu cael silwair neu slyri dan ei ofal neu ei reolaeth, a hwnnw i gael ei gadw mewn storfa newydd neu storfa wedi ei gwella, roi i CANC hysbysiad yn pennu'r math o seilo neu system storio a'i leoliad neu ei lleoliad, o leiaf 14 o ddiwrnodau cyn y mae gwaith adeiladu'r storfa newydd neu storfa wedi ei gwella, i ddechrau.

(3) Yn y rheoliad hwn, mae “adeiladu” yn cynnwys ehangu'n sylweddol ac ailadeiladu'n sylweddol.

Appeals against regulation 30 notices

31.—(1) A person served with a regulation 30 notice may, within the period of 28 days beginning on the day after the date on which the notice is served (or such longer period as the Welsh Ministers allow), appeal to the Welsh Ministers against the notice.

(2) An appeal under this regulation must be made by the appellant serving notice on the Welsh Ministers.

(3) The notice must contain or be accompanied by a statement of the grounds of appeal.

(4) Before determining an appeal under this regulation, the Welsh Ministers must, if requested to do so by the appellant or NRBW, afford them an opportunity of appearing before and being heard by a person appointed by the Welsh Ministers for the purpose.

(5) On determining an appeal under this regulation, the Welsh Ministers may direct NRBW to—

- (a) withdraw the regulation 30 notice,
- (b) modify any of its requirements,
- (c) extend the period for compliance with any requirement, or
- (d) dismiss the appeal.

(6) The period for compliance with a regulation 30 notice against which an appeal has been made is, subject to any direction under paragraph (5), extended so that it expires on the date on which the Welsh Ministers finally determines the appeal or, if the appeal is withdrawn, the date on which it is withdrawn.

Notice of construction etc.

32.—(1) This regulation applies to any silo or slurry storage system whose construction is to be begun on or after 28 April 2021 (“a new or improved store”).

(2) A person who proposes to have custody or control of silage or slurry that is to be kept in a new or improved store must give NRBW notice specifying the type of silo or storage system and its location, at least 14 days before work constructing the new or improved store is to be begun.

(3) In this regulation, “construction” includes substantial enlargement and reconstruction.

RHAN 7

Cyfrifiadau a chofnodion

Cofnodi maint y daliad

33.—(1) Rhaid i feddiannydd daliad gynnal cofnod o faint cyfan y daliad wedi ei gyfrifo'n unol â rheoliad 4(3).

(2) Os bydd maint y daliad yn newid, rhaid diweddarau'r cofnod hwn o fewn un mis.

Cofnodion ynglŷn â storio tail yn ystod y cyfnod storio

34.—(1) Rhaid i feddiannydd daliad sydd â da byw gynnal cofnod o'r canlynol—

- (a) maint y tail y bydd y nifer disgwylidig o anifeiliaid yn ei gynhyrchu, a gedwir mewn adeilad neu ar lawr caled yn ystod y cyfnod storio y cyfeiriwyd ato yn rheoliad 29, gan ddefnyddio'r ffigurau yn Atodlen 1;
- (b) maint y gofod storio (llestri slyri a lloriau caled) y mae ei angen i'w gwneud yn bosibl cydymffurfio â rheoliad 29, gan gymryd i ystyriaeth—
 - (i) maint y tail y bwriedir ei allforio o'r daliad,
 - (ii) maint y tail y bwriedir ei daenu ar dir y mae'r risg o oferu drosto yn isel, a
 - (iii) yn achos llestr i ddal slyri, maint yr hylif ac eithrio slyri sy'n debygol o fynd i mewn i'r llestr;
- (c) maint cyfredol y gofod storio ar y daliad.

(2) Rhaid i feddiannydd sy'n dod ag anifeiliaid i ddaliad am y tro cyntaf gydymffurfio â pharagraff (1) o fewn mis ar ôl dod â'r anifeiliaid yno.

(3) Os yw maint y gofod storio yn newid, rhaid i'r meddiannydd gofnodi'r newid o fewn wythnos.

Cofnodion blynyddol ynglŷn â storio

35.—(1) Cyn 30 Ebrill bob blwyddyn rhaid i feddiannydd daliad sydd â da byw gofnodi, am y cyfnod storio blaenorol y cyfeirir ato yn rheoliad 29, nifer a chategori'r anifeiliaid mewn adeilad neu ar lawr caled yn ystod y cyfnod storio.

(2) Rhaid i'r meddiannydd gofnodi hefyd y safleoedd a ddefnyddiwyd ar gyfer tomenni mewn caeau a dyddiadau eu defnyddio.

PART 7

Calculations and records

Recording the size of the holding

33.—(1) The occupier of a holding must maintain a record of the total size of the holding calculated in accordance with regulation 4(3).

(2) If the size of the holding changes this record must be updated within one month.

Records relating to storage of manure during the storage period

34.—(1) The occupier of a holding with livestock must maintain a record—

- (a) of the amount of manure that will be produced by the anticipated number of animals that will be kept in a building or on hardstanding during the storage period referred to regulation 29, using the figures in Schedule 1;
- (b) the amount of storage capacity (slurry vessels and hardstanding) required to enable compliance with regulation 29, taking into account—
 - (i) the amount of manure intended to be exported from the holding,
 - (ii) the amount of manure intended to be spread on land that has a low run-off risk, and
 - (iii) in the case of a slurry vessel the amount of liquid other than slurry likely to enter the vessel;
- (c) the current capacity for storage on the holding.

(2) An occupier who introduces animals on to a holding for the first time must comply with paragraph (1) within one month of the introduction of the animals.

(3) If the amount of storage capacity changes the occupier must record the change within one week.

Annual records relating to storage

35.—(1) Before 30 April each year the occupier of a holding with livestock must record, for the previous storage period referred to in regulation 29 the number and category of animals in a building or on a hardstanding during the storage period.

(2) The occupier must also record the sites used for field heaps and the dates of use.

Cofnod o'r nitrogen a gynhyrchwyd gan anifeiliaid ar y daliad

36.—(1) Cyn 30 Ebrill bob blwyddyn rhaid i'r meddiannydd wneud cofnod o'r canlynol—

- (a) nifer a chategori (yn unol â'r categorïau yn Atodlen 1) yr anifeiliaid ar y daliad yn ystod y flwyddyn galendr flaenorol, a
- (b) nifer y diwrnodau a dreuliodd pob anifail ar y daliad.

(2) Rhaid i'r meddiannydd gyfrifo wedyn faint y nitrogen sydd yn y tail a gynhyrchwyd gan yr anifeiliaid ar y daliad yn ystod y flwyddyn honno gan ddefnyddio'r Tabl yn Atodlen 1.

(3) Fel arall, yn achos moch neu ddefnod a letyir yn barhaol, caiff y meddiannydd ddefnyddio—

- (a) meddalwedd a gymeradwywyd gan Weinidogion Cymru, neu
- (b) yn achos system cadw da byw sy'n cynhyrchu tail solet yn unig, dulliau samplu a dadansoddi yn unol â Rhan 2 o Atodlen 3.

(4) Rhaid i'r meddiannydd wneud cofnod o'r cyfrifiadau a'r modd y cyrhaeddwyd at y ffigurau terfynol.

(5) Rhaid i feddiannydd a ddefnyddiodd feddalwedd a gymeradwywyd gan Weinidogion Cymru gadw allbrint o'r canlyniad.

Tail da byw a ddygwyd i'r daliad neu a anfonwyd ohono

37.—(1) Yn ddarostyngedig i baragraff (3), rhaid i feddiannydd sy'n dod â thail da byw i'r daliad gofnodi, o fewn un wythnos—

- (a) math a maint y tail da byw,
- (b) y dyddiad y daethpwyd â'r tail da byw i'r daliad,
- (c) maint y nitrogen sydd ynddo, a
- (d) os yw'n hysbys, enw a chyfeiriad y cyflenwr.

(2) Rhaid i feddiannydd sy'n anfon tail da byw o ddaliad gofnodi o fewn un wythnos—

- (a) math a maint y tail da byw,
- (b) y dyddiad y'i hanfonwyd o'r daliad,
- (c) maint y nitrogen sydd ynddo,
- (d) enw a chyfeiriad y derbynnnydd, ac
- (e) manylion cynllun wrth gefn sydd i'w ddefnyddio pe bai cytundeb i berson dderbyn y tail da byw yn methu.

(3) Os nad yw maint y nitrogen sydd yn y tail da byw a ddygir i'r daliad yn hysbys, rhaid i'r

Record of nitrogen produced by animals on the holding

36.—(1) Before 30 April every year the occupier must make a record of—

- (a) the number and category (in accordance with the categories in Schedule 1) of animals on the holding during the previous calendar year, and
- (b) the number of days that each animal spent on the holding.

(2) The occupier must then calculate the amount of nitrogen in the manure produced by the animals on the holding during that year using the Table in Schedule 1.

(3) Alternatively, in the case of permanently housed pigs or poultry, the occupier may use—

- (a) software approved by the Welsh Ministers, or
- (b) in the case of a system of keeping livestock that only produces solid manure, sampling and analysis in accordance with Part 2 of Schedule 3.

(4) The occupier must make a record of the calculations and how the final figures were arrived at.

(5) An occupier who used software approved by the Welsh Ministers must keep a printout of the result.

Livestock manure brought on to or sent off the holding

37.—(1) Subject to paragraph (3), an occupier who brings livestock manure on to a holding must, within one week record—

- (a) the type and amount of livestock manure,
- (b) the date it is brought on to the holding,
- (c) the nitrogen content, and
- (d) if known the name and address of the supplier.

(2) An occupier who sends livestock manure off a holding must within one week record—

- (a) the type and amount of livestock manure,
- (b) the date it is sent off the holding,
- (c) the nitrogen content,
- (d) the name and address of the recipient, and
- (e) details of a contingency plan to be used in the event that an agreement for a person to accept the livestock manure fails.

(3) If the nitrogen content of the livestock manure brought on to a holding is not known, the occupier

meddiannydd ganfod y maint hwnnw cyn gynted ag y bo'n rhesymol ymarferol wedi i'r tail gyrraedd, a'i gofnodi o fewn un wythnos o'i ganfod.

(4) Rhaid canfod maint cyfan y nitrogen sydd yn y tail da byw drwy ddefnyddio naill ai'r ffigurau safonol yn Rhan 1 o Atodlen 3 neu drwy samplu a dadansoddi yn y modd a nodir yn Rhan 2 o'r Atodlen honno.

Samplu a dadansoddi

38. Rhaid i unrhyw berson sy'n defnyddio samplu a dadansoddi i ganfod maint y nitrogen mewn tail organig gadw'r adroddiad gwreiddiol gan y labordy.

Cofnodion o'r cynydau a heuwyd

39. Rhaid i feddiannydd sy'n bwriadu taenu gwrtaith nitrogen gofnodi, o fewn wythnos i hau cnwd—

- (a) y cnwd a heuir, a
- (b) dyddiad ei hau.

Cofnodion o daenu gwrtaith nitrogen

40.—(1) Yn ddarostyngedig i baragraff (3), o fewn un wythnos i daenu tail organig rhaid i'r meddiannydd gofnodi—

- (a) y rhan y taenwyd y tail organig arni;
- (b) faint o dail organig a daenwyd;
- (c) y dyddiad neu'r dyddiadau;
- (d) y dulliau o'i daenu;
- (e) y math o dail organig;
- (f) cyfanswm y nitrogen sydd ynddo;
- (g) maint y nitrogen oedd ar gael i'r cnwd.

(2) Yn ddarostyngedig i baragraff (3), o fewn un wythnos i daenu gwrtaith nitrogen a weithgynhyrchwyd rhaid i'r meddiannydd gofnodi—

- (a) dyddiad ei daenu, a
- (b) maint y nitrogen a daenwyd.

(3) Nid yw paragraffau (1) a (2) yn gymwys i feddiannydd daliad mewn unrhyw flwyddyn galendr pan fo 80 % o arwynebedd amaethyddol y daliad wedi ei hau â phorfa, ac—

- (a) nad yw cyfanswm y nitrogen mewn tail organig a ddodir ar y daliad, boed yn uniongyrchol gan anifeiliaid neu o ganlyniad i daenu, yn fwy na 100 kg yr hectar,
- (b) nad yw cyfanswm y nitrogen mewn gwrtaith nitrogen a weithgynhyrchwyd a ddodir ar y daliad yn fwy na 90 kg yr hectar, ac
- (c) nad yw'r meddiannydd yn dod ag unrhyw dail organig i'r daliad.

must ascertain it, as soon as is reasonably practicable after arrival, and record it within one week of ascertaining it.

(4) All nitrogen content of the livestock manure must be ascertained using either the standard figures in Part 1 of Schedule 3 or by sampling and analysis as set out in Part 2 of that Schedule.

Sampling and analysis

38. Any person using sampling and analysis to determine nitrogen content in organic manure must keep the original report from the laboratory.

Records of crops sown

39. An occupier who intends to spread nitrogen fertiliser must record within one week of sowing a crop—

- (a) the crop sown, and
- (b) the date of sowing.

Records of spreading nitrogen fertiliser

40.—(1) Subject to paragraph (3), within one week of spreading organic manure the occupier must record—

- (a) the area on which organic manure is spread;
- (b) the quantity of organic manure spread;
- (c) the date or dates;
- (d) the methods of spreading;
- (e) the type of organic manure;
- (f) the total nitrogen content;
- (g) the amount of nitrogen that was available to the crop.

(2) Subject to paragraph (3), within one week of spreading manufactured nitrogen fertiliser the occupier must record—

- (a) the date of spreading, and
- (b) the amount of nitrogen spread.

(3) Paragraphs (1) and (2) do not apply to the occupier of a holding in any calendar year in which 80 % of the agricultural area of a holding is sown with grass, and—

- (a) the total amount of nitrogen in organic manure applied to the holding, whether directly by animal or a result of spreading, is no more than 100 kg per hectare,
- (b) the total amount of nitrogen in manufactured nitrogen fertiliser applied to the holding is no more than 90 kg per hectare, and
- (c) the occupier does not bring any organic manure onto the holding.

Cofnodion dilynol

41.—(1) Rhaid i feddiannydd sydd wedi defnyddio gwrtaith nitrogen gofnodi'r cynnyrch a gafwyd o gnwd â'r o fewn wythnos i ganfod y cynnyrch hwnnw.

(2) Cyn 30 Ebrill bob blwyddyn rhaid i feddiannydd gofnodi sut y cafodd unrhyw laswelltir ei reoli yn y flwyddyn galendr flaenorol.

Cadw cyngor

42. Rhaid i feddiannydd gadw copi o unrhyw gyngor gan berson sy'n aelod o'r Cynllun Ardystio a Hyfforddi Cynghorwyr am Wrteithiau, ac y dibynnwyd arno at unrhyw ddiben o dan y Rheoliadau hyn, am bum mlynedd.

Dal gafael ar gofnodion

43. Rhaid i unrhyw berson y mae'n ofynnol iddo wneud cofnod o dan y Rheoliadau hyn gadw'r cofnod hwnnw am bum mlynedd.

RHAN 8

Monitro ac adolygu

Monitro ac adolygu

44.—(1) Rhaid i Weinidogion Cymru sefydlu rhaglen fonitro i asesu effeithiolrwydd y mesurau a osodir gan y Rheoliadau hyn fel modd i leihau neu atal llygredd dŵr o ffynonellau amaethyddol.

(2) O leiaf bob pedair blynedd, rhaid i Weinidogion Cymru adolygu effeithiolrwydd y mesurau a osodir gan y Rheoliadau hyn fel modd i leihau neu atal llygredd dŵr o ffynonellau amaethyddol ac, os yw'n angenrheidiol, eu diwygio.

(3) Wrth gynnal adolygiad o dan baragraff (2), rhaid i Weinidogion Cymru ystyried—

- (a) y data gwyddonol a thechnegol sydd ar gael, gan gyfeirio'n benodol at y priod gyfraniadau nitrogen sy'n dod o ffynonellau amaethyddol a ffynonellau eraill, a
- (b) amodau amgylcheddol rhanbarthol.

Mesurau amgen

45.—(1) Os ceir cynigion ar gyfer cyfres amgen o fesurau i sicrhau'r canlyniadau yn rheoliad 44(1) o fewn 18 mis i ddyfodiad i rym y Rheoliadau hyn, rhaid i Weinidogion Cymru ystyried a fyddai'r mesurau hynny'n sicrhau'r canlyniadau yn fwy effeithiol na'r mesurau a gynhwysir yn y Rheoliadau hyn.

Subsequent records

41.—(1) An occupier who has used nitrogen fertiliser must record the yield achieved by an arable crop within one week of ascertaining it.

(2) Before 30 April each year an occupier must record how any grassland was managed in the previous calendar year.

Keeping of advice

42. An occupier must keep a copy of any advice from a person who is a member of the Fertiliser Advisers Certification and Training Scheme that is relied on for any purpose under these Regulations for five years.

Duration of records

43. Any person required to make a record under these Regulations must keep it for five years.

PART 8

Monitoring and review

Monitoring and review

44.—(1) The Welsh Ministers must establish a monitoring programme to assess the effectiveness of the measures imposed by these Regulations as a means of reducing or preventing water pollution from agricultural sources.

(2) At least every four years, the Welsh Ministers must review the effectiveness of the measures imposed by these Regulations as a means of reducing or preventing water pollution from agricultural sources and if necessary revise them.

(3) When carrying out a review under paragraph (2), the Welsh Ministers must take into account—

- (a) available scientific and technical data, particularly with reference to respective nitrogen contributions originating from agricultural and other sources, and
- (b) regional environmental conditions.

Alternative measures

45.—(1) If proposals for an alternative suite of measures for delivering the outcomes in regulation 44(1) are received within 18 months of these Regulations coming into force, the Welsh Ministers must consider whether those measures would deliver the outcomes more effectively than the measures contained in these Regulations.

(2) Os yw Gweinidogion Cymru wedi eu bodloni y byddai cynigion a gyflwynwyd o dan baragraff (1) yn fwy effeithiol i sicrhau'r canlyniadau yn rheoliad 44(1), rhaid iddynt gyhoeddi datganiad o fewn dwy flynedd i ddyfodiad i rym y Rheoliadau hyn, gan esbonio pa gamau a gymerir.

RHAN 9

Gorfodi

Troseddau a chosbau

46.—(1) Yn ddarostyngedig i baragraff (2), mae unrhyw berson sy'n torri unrhyw ddarpariaeth yn y Rheoliadau hyn yn euog o drosedd ac yn agored o'i euogfarnu'n ddiannod, neu o'i euogfarnu ar ddiad, i ddirwy.

(2) Mae person sy'n torri rheoliad 32 yn euog o drosedd a bydd yn agored o'i euogfarnu'n ddiannod i ddirwy nad yw'n fwy na lefel 2 ar y raddfa safonol.

(3) Yn ddarostyngedig i baragraff (4), pan fo corff corfforedig yn euog o drosedd o dan y Rheoliadau hyn, ac os profir bod y drosedd honno wedi ei chyflawni drwy gydsyniad neu ymoddefiad, neu i'w phriodoli i unrhyw esgeulustod ar ran—

- (a) unrhyw gyfarwyddwr, rheolwr, ysgrifennydd neu berson arall tebyg yn y corff corfforedig, neu
- (b) unrhyw berson a oedd yn honni ei fod yn gweithredu yn rhinwedd unrhyw swyddogaeth o'r fath,

bydd y person hwnnw, yn ogystal â'r corff corfforedig, yn euog o'r drosedd a bydd yn agored i'w erlyn a'i gosbi yn unol â hynny.

(4) Nid yw paragraff (3) yn gymwys i unrhyw doriadau o dan reoliadau 24(1), 24(4), 25(1), 30(5) neu 32.

(5) At ddibenion y rheoliad hwn, ystyr "cyfarwyddwr", mewn perthynas â chorff corfforedig y rheolir ei faterion gan ei aelodau, yw aelod o'r corff corfforedig.

Gorfodi

47. Gorfodir y Rheoliadau hyn gan CANC.

(2) If the Welsh Ministers are satisfied that proposals submitted under paragraph (1) would be more effective in delivering the outcomes in regulation 44(1), they must publish a statement within two years of these Regulations coming into force, explaining what action will be taken.

PART 9

Enforcement

Offences and penalties

46.—(1) Subject to paragraph (2), any person who contravenes any provision of these Regulations is guilty of an offence and liable on summary conviction, or on conviction on indictment, to a fine.

(2) A person who contravenes regulation 32 is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(3) Subject to paragraph (4) where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) any director, manager, secretary or other similar person of the body corporate, or
- (b) any person who was purporting to act in any such capacity,

that person, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

(4) Paragraph (3) does not apply to contraventions under regulations 24(1), 24(4), 25(1), 30(5) or 32.

(5) For the purposes of this regulation, "director", in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

Enforcement

47. These Regulations are enforced by NRBW.

RHAN 10

Amrywiol

PART 10

Miscellaneous

Dirymu

48.—(1) Mae Rheoliadau Adnoddau Dŵr (Rheoli Llygredd) (Silwair a Slyri) (Cymru) 2010(1) wedi eu dirymu fel a ganlyn—

- (a) mewn perthynas â daliad neu ran o ddaliad a oedd wedi ei leoli neu wedi ei lleoli mewn parth perygl nitradau fel a ddangosir ar y map perthnasol o'r enw "Parthau Perygl Nitradau Map Mynegai 2013"(2), ar 1 Ebrill 2021;
- (b) mewn perthynas â phob daliad arall—
 - (i) rheoliadau 3 a 9 ar 1 Ebrill 2021;
 - (ii) pob darpariaeth sy'n weddill ar 1 Awst 2024.

(2) Mae'r canlynol wedi eu dirymu—

- (a) Rheoliadau Atal Llygredd Nitradau (Cymru) 2013;
- (b) Rheoliadau Atal Llygredd Nitradau (Cymru) (Diwygio) 2015(3);
- (c) Rheoliadau Atal Llygredd Nitradau (Cymru) (Diwygio) 2019(4).

Diwygiadau canlyniadol

49.—(1) Yn Rheoliadau Trwyddedu Amgylcheddol (Cymru a Lloegr) 2016(5), yn Atodlen 2, ym mharagraff 17(2)(b), yn lle "the Nitrate Pollution Prevention (Wales) Regulations 2013" rhodder "the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021".

(2) Yn Rheoliadau'r Amgylchedd Dŵr (Y Gyfarwydddeb Fframwaith Dŵr) (Cymru a Lloegr) 2017(6), yn Rhan 2 o Atodlen 2—

- (a) yn lle paragraff 21 rhodder—

"21. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.";
- (b) yn lle paragraff 24 rhodder—

Revocations

48.—(1) The Water Resources (Control of Pollution) (Silage and Slurry) (Wales) Regulations 2010(1) are revoked as follows—

- (a) in relation to a holding or part of a holding that was situated in a nitrate vulnerable zone as shown on the relevant map marked "Nitrate Vulnerable Zones Index Map 2013"(2), on 1 April 2021;
- (b) in relation to all other holdings—
 - (i) regulations 3 and 9 on 1 April 2021
 - (ii) all remaining provisions on 1 August 2024.

(2) The following are revoked—

- (a) the Nitrate Pollution Prevention (Wales) Regulations 2013;
- (b) the Nitrate Pollution Prevention (Wales) (Amendment) Regulations 2015(3);
- (c) the Nitrate Pollution Prevention (Wales) (Amendment) Regulations 2019(4).

Consequential amendments

49.—(1) In the Environmental Permitting (England and Wales) Regulations 2016(5), in Schedule 2, in paragraph 17(2)(b), for "the Nitrate Pollution Prevention (Wales) Regulations 2013" substitute "the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021".

(2) In the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017(6), in Part 2 of Schedule 2—

- (a) for paragraph 21 substitute—

"21. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.";
- (b) for paragraph 24 substitute—

(1) O.S. 2010/1493 (Cy. 136).

(2) O dan reoliad 7(3) o Reoliadau Atal Llygredd Nitradau (O.S. 2013/2506) (Cy. 245) yr oedd yn ofynnol i fap o'r fath gael ei adneuo yn swyddfeydd Llywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ.

(3) O.S. 2015/2020 (Cy. 308).

(4) O.S. 2019/863 (Cy. 155).

(5) O.S. 2016/1154.

(6) O.S. 2017/407.

(1) S.I. 2010/1493 (W. 136).

(2) Under regulation 7(3) of the Nitrate Pollution Prevention (Wales) Regulations 2013 (S.I. 2013/2506) (W. 245) such a map was required to be deposited at the offices of the Welsh Government at Cathays Park, Cardiff, CF10 3NQ.

(3) S.I. 2015/2020 (W. 308).

(4) S.I. 2019/863 (W. 155).

(5) S.I. 2016/1154.

(6) S.I. 2017/407.

“24. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.”

(3) Yn Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau (Cymru a Lloegr) 2017(1), yn rheoliad 104, hepgorer paragraff (1)(b) a'r “neu” o'i flaen.

“24. The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021.”

(3) In the Conservation of Habitats and Species (England and Wales) Regulations 2017(1), in regulation 104, omit paragraph (1)(b) and the “or” before it.

Lesley Griffiths

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig,
un o Weinidogion Cymru
21 Ionawr 2021

Minister for Environment, Energy and Rural Affairs,
one of the Welsh Ministers
21 January 2021

(1) O.S. 2017/1012.

(1) S.I. 2017/1012.

ATODLEN 1

Rheoliadau 3, 4, 29, 34 a 36

Meintiau o dail, nitrogen a ffosffad a gynhyrchir gan dda byw sy'n pori a da byw nad ydynt yn pori

Tabl 1

Da byw sy'n pori

<i>Category</i>	<i>Tail a gynhyrchir gan bob anifail yn ddyddiol (litrau)</i>	<i>Nitrogen a gynhyrchir gan bob anifail yn ddyddiol (gramau)</i>	<i>Ffosffad a gynhyrchir gan bob anifail yn ddyddiol (gramau)</i>
Gwartheg			
Lloi (pob categori ac eithrio lloi cig llo) hyd at 3 mis:	7	23	12.7
Buchod godro—			
O 3 mis ymlaen ac o dan 13 mis:	20	95	34
O 13 mis ymlaen tan y llo cyntaf:	40	167	34
Ar ôl y llo cyntaf â'r—			
cynnyrch llaeth blynyddol yn fwy na 9000 litr:	64	315	142
cynnyrch llaeth blynyddol rhwng 6000 a 9000 litr:	53	276	121
cynnyrch llaeth blynyddol yn llai na 6000 litr:	42	211	93
Buchod neu fustych eidion ^(a) —			

SCHEDULE 1

Regulations 3, 4, 29, 34 and 36

Amount of manure, nitrogen and phosphate produced by grazing livestock and non-grazing livestock

Table 1

Grazing livestock

<i>Category</i>	<i>Daily manure produced by each animal (litres)</i>	<i>Daily nitrogen produced by each animal (grams)</i>	<i>Daily phosphate produced by each animal (grams)</i>
Cattle			
Calves (all categories except veal) up to 3 months:	7	23	12.7
Dairy cows—			
from 3 months and less than 13 months:	20	95	34
from 13 months up to first calf:	40	167	34
After first calf and—			
annual milk yield more than 9000 litres:	64	315	142
annual milk yield between 6000 and 9000 litres:	53	276	121
annual milk yield less than 6000 litres:	42	211	93
Beef cows or steers ^(a) —			

O 3 mis ymlaen ac o dan 13 mis:	20	91	33	from 3 months and less than 13 months:	20	91	33
O 13 mis ymlaen ac o dan 25 mis:	26	137	43	from 13 months and less than 25 months:	26	137	43
O 25 mis ymlaen—gwartheg benyw neu fustych i'w cigyddu:	31	137	60	From 25 months—females or steers for slaughter:	31	137	60
gwartheg benyw ar gyfer bridio—				females for breeding—			
sy'n pwyso 500 kg neu lai:	32	167	65	weighing 500 kg or less:	32	167	65
sy'n pwyso mwy na 500 kg:	45	227	86	weighing more than 500 kg:	45	227	86
Teirw nad ydynt ar gyfer bridio, ac sy'n 3 mis a throsodd:	26	148	24	Bulls Non-breeding, 3 months and over:	26	148	24
Bridio—				Breeding—			
o 3 mis ymlaen ac o dan 25 mis:	26	137	43	from 3 months and less than 25 months:	26	137	43
o 25 mis ymlaen:	26	132	60	from 25 months:	26	132	60
Defaid				Sheep			
O 6 mis ymlaen hyd at 9 mis oed:	1.8	5.5	0.76	From 6 months up to 9 months old:	1.8	5.5	0.76
O 9 mis hyd at wyna am y tro cyntaf, hwrdda am y tro cyntaf, neu gigydda:	1.8	3.9	2.1	From 9 months old to first lambing, first tugging or slaughter:	1.8	3.9	2.1
Ar ôl wyna neu hwrdda ^(b)				After lambing or tugging ^(b)			

yn pwysu llai na 60 kg:	3.3	21	8.8	weight less than 60 kg:	3.3	21	8.8
yn pwysu o 60 kg i fyny:	5	3	10.0	weight from 60 kg:	5	3	10.0
Geifr, ceirw a cheffylau				Goats, deer and horses			
Geifr:	3.5	41	18.8	Goats:	3.5	41	18.8
Ceirw—				Deer—			
bridio:	5	42	17.6	breeding:	5	42	17.6
eraill:	3.5	33	11.7	other:	3.5	33	11.7
Ceffylau:	24	58	56	Horses:	24	58	56

^(a) Anifail gwryw wedi ei ysbaddu.

^(b) Yn achos mamog, mae'r ffigur hwn yn cynnwys un neu ragor o'i hŵyn sugno tan fod yr ŵyn yn chwe mis oed.

^(a) Castrated male.

^(b) In the case of a ewe, this figure includes one or more suckled lambs until the lambs are aged six months.

Tabl 2

Da byw nad ydynt yn pori

<i>Category</i>	<i>Tail a gynhyrchir gan bob anifail yn ddyddiol (litrau)</i>	<i>Nitrogen a gynhyrchir gan bob anifail yn ddyddiol (gramau)</i>	<i>Ffosffad a gynhyrchir gan bob anifail yn ddyddiol (gramau)</i>
Gwartheg			
Lloi cig llo: Dofednod ^(a)	7	23	12.7
Ieir a ddefnyddir i gynhyrchu wyau ar gyfer eu bwyta gan bobl—			
o dan 17 wythnos:	0.04	0.64	0.47
o 17 wythnos ymlaen (mewn caets):	0.12	1.13	1.0
o 17 wythnos ymlaen (nid mewn caets):	0.12	1.5	1.1
Ieir a fegir ar gyfer cig:	0.06	1.06	0.72

Table 2

Non-grazing livestock

<i>Category</i>	<i>Daily manure produce d by each animal (litres)</i>	<i>Daily nitrogen produced by each animal (grams)</i>	<i>Daily phosphate produced by each animal (grams)</i>
Cattle			
Veal calves:	7	23	12.7
Poultry ^(a)			
Chickens used for production of eggs for human consumption—			
less than 17 weeks:	0.04	0.64	0.47
from 17 weeks (caged):	0.12	1.13	1.0
from 17 weeks (not caged)	0.12	1.5	1.1
Chickens raised for meat:	0.06	1.06	0.72

Ieir a fegir ar gyfer bridio—				Chickens raised for breeding—			
o dan 25 wythnos:	0.04	0.86	0.78	less than 25 weeks:	0.04	0.86	0.78
o 25 wythnos ymlaen:	0.12	2.02	1.5	from 25 weeks:	0.12	2.02	1.5
Tyrcwn—				Turkeys—			
gwryw:	0.16	3.74	3.1	male:	0.16	3.74	3.1
benyw:	0.12	2.83	2.3	female:	0.12	2.83	2.3
Hwyaid:	0.10	2.48	2.4	Ducks:	0.10	2.48	2.4
Estrysiaid:	1.6	3.83	18.5	Ostriches:	1.6	3.83	18.5
Moch				Pigs			
Yn pwyso o 7 kg i fyny ac yn llai na 13 kg:	1.3	4.1	1.3	Weight from 7 kg and less than 13 kg:	1.3	4.1	1.3
Yn pwyso o 13 kg i fyny ac yn llai na 31 kg:	2	14.2	6.0	Weight from 13 kg and less than 31 kg:	2	14.2	6.0
Yn pwyso o 31 kg i fyny ac yn llai na 66 kg—				Weight from 31 kg and less than 66 kg—			
porthir â bwyd sych:	3.7	24	12.1	dry fed:	3.7	24	12.1
porthir â hylifau:	7.1	24	12.1	liquid fed:	7.1	24	12.1
Yn pwyso o 66 kg i fyny ac—				Weight from 66 kg and—			
A fwriedir i'w cigydd—				Intended for slaughter—			
porthir â bwyd sych:	5.1	33	17.9	dry fed:	5.1	33	17.9
porthir â hylifau:	10	33	17.9	liquid fed:	10	33	17.9
hychod a fwriedir ar gyfer bridio ond nad ydynt eto wedi cael eu torllwyth cyntaf:	5.6	38	20	sows intended for breeding that have not yet had their first litter:	5.6	38	20

hychod (gan gynnwys eu torllwythi yn pwysio hyd at 7 kg pob porchell) a borthwyd ar ddeiet gydag ychwanegi- adau o asidau amino synthetig:	10.9	44	37	sows (including their litters up to a weight of 7 kg per piglet) fed on a diet supplemented with synthetic amino acids:	10.9	44	37
hychod (gan gynnwys eu torllwythi yn pwysio hyd at 7 kg pob porchell) a borthwyd ar ddeiet heb ychwanegi- adau o asidau amino synthetig:	10.9	49	37	sows (including their litters up to a weight of 7 kg per piglet) fed on a diet without synthetic amino acids:	10.9	49	37
baeddod bridio o 66 kg hyd at 150 kg:	5.1	33	17.9	breeding boars from 66 kg up to 150 kg:	5.1	33	17.9
baeddod bridio o 150 kg	8.7	48	28	breeding boars, from 150 kg	8.7	48	28

^(a) Sylwter: mae pob ffigur ar gyfer dofednod yn cynnwys sarn.

^(a) Note: all figures for poultry include litter.

Rhywogaethau o ffrwythau

Fruit species

<i>Enw Botanegol</i>	<i>Enw Cyffredin</i>	<i>Botanical Name</i>	<i>Common Name</i>
Cydonia oblonga	Cwins	Cydonia oblonga	Quince
Malus domestica	Afalau	Malus domestica	Apple
Mespilus germanica	Afalau tindwll	Mespilus germanica	Medlar
Morus spp.	Mwyar Mair	Morus spp.	Mulberry
Prunus armenaica	Bricyll	Prunus armenaica	Apricot
Prunus avium	Ceirios melys	Prunus avium	Sweet cherry
Prunus cerasus	Ceirios duon (coginio)	Prunus cerasus	Sour (cooking) cherry
Prunus ceracifera	Eirin myrobalan	Prunus ceracifera	Cherry plum
Prunus domestica	Eirin	Prunus domestica	Plum
Prunus domestica subsp. insititia	Eirin hirion	Prunus domestica subsp. insititia	Damson, Bullace
Prunus persica	Eirin gwlanog	Prunus persica	Peach
Prunus persica var. nectarina	Nectarinau	Prunus persica var. nectarina	Nectarine
Prunus x gondouinii	Ceirios y Dug	Prunus x gondouinii	Duke cherry
Prunus spinosa	Eirin duon bach	Prunus spinosa	Sloe
Pyrus communis	Gellyg	Pyrus communis	Pear
Pyrus pyrifolia	Gellyg Asia	Pyrus pyrifolia	Asian pear

ATODLEN 3

Rheoliadau 9, 36 a 37

Cyfrifo'r nitrogen sydd mewn tail organig

RHAN 1

Y Tabl Safonol

Cyfanswm y nitrogen mewn tail da byw

<i>Tail ac eithrio slyri</i>	<i>Cyfanswm y nitrogen ym mhob tunnell (kg)</i>
Tail ac eithrio slyri o'r anifeiliaid a ganlyn—	
gwartheg:	6
moch:	7
defaid:	7
hwyaid:	6.5
ceffylau:	7
geifr:	6
Tail o ieir dodwy:	19
Tail o dyrcwn neu ieir brwylio:	10
<i>Slyri</i>	<i>Cyfanswm y nitrogen ym mhob metr ciwbig (kg)</i>
gwartheg:	2.6
moch:	3.6
Slyri gwartheg a wahanwyd (ffracsiwn hylifol)—	
blwch hidlo:	1.5
wal hidlo:	2
hidl fecanyddol:	3
Slyri gwartheg a wahanwyd (ffracsiwn solet):	4
Slyri moch a wahanwyd (ffracsiwn hylifol):	3.6
Slyri moch a wahanwyd (ffracsiwn solet):	5
Dŵr budr:	0.5

SCHEDULE 3

Regulations 9, 36 and 37

Calculating nitrogen in organic manure

PART 1

Standard Table

Total amount of nitrogen in livestock manure

<i>Manure other than slurry</i>	<i>Total nitrogen in each tonne (kg)</i>
Manure other than slurry from—	
cattle:	6
pigs:	7
sheep:	7
ducks:	6.5
horses:	7
goats:	6
Manure from laying hens:	19
Manure from turkeys or broiler chickens:	10
<i>Slurry</i>	<i>Total nitrogen in each cubic metre (kg)</i>
cattle:	2.6
pigs:	3.6
Separated cattle slurry (liquid fraction)—	
strainer box:	1.5
weeping wall:	2
mechanical separator:	3
Separated cattle slurry (solid fraction):	4
Separated pig slurry (liquid fraction):	3.6
Separated pig slurry (solid fraction):	5
Dirty water:	0.5

RHAN 2

Samplu a dadansoddi tail organig

Slyri a thail organig hylifol a lled-hylifol arall

1.—(1) O ran slyri a thail organig hylifol a lled-hylifol arall, rhaid cymryd o leiaf bum sampl, pob un ohonynt yn 2 litr.

(2) Yn ddarostyngedig i is-baragraff (3), rhaid cymryd y pum sampl allan o lestr, ac—

(a) os yw'n rhesymol ymarferol, rhaid cymysgu'r slyri'n drwyadl cyn cymryd y samplau, a

(b) rhaid cymryd pob sampl o le gwahanol.

(3) Os defnyddir tancer sydd â falf addas arno ar gyfer taenu, caniateir i'r samplau gael eu cymryd wrth daenu, a rhaid cymryd pob sampl fesul ysbaid yn ystod y taenu.

(4) Pa un a gymerwyd y samplau fel y disgrifir yn is-baragraff (2) neu (3), rhaid arllwys y pum sampl i mewn i gynhwysydd mwy, eu troi'n drwyadl, a rhaid cymryd sampl 2 litr allan o'r cynhwysydd hwnnw ac arllwys y sampl honno i gynhwysydd glân, llai o faint.

(5) Yna, rhaid anfon y sampl 2 litr a baratowyd yn unol ag is-baragraff (4) i'w dadansoddi.

Tail solet

2.—(1) O ran tail solet, rhaid cymryd y samplau allan o domen dail.

(2) Rhaid cymryd o leiaf ddeg sampl 1 kg yr un, a phob un ohonynt o fan gwahanol mewn tomen.

(3) Rhaid cymryd pob un o'r is-samplau 0.5 metr, o leiaf, o wyneb y domen.

(4) Os cesglir y samplau i gyfrifo i ba raddau y cydymffurfiwyd â'r terfyn fferm gyfan ar gyfer moch a dofednod, rhaid cymryd pedair sampl i'w dadansoddi mewn blwyddyn galendr (gan gymryd un ym mhob chwarter) o domenni tail nad ydynt yn hŷn na 12 mis oed.

(5) Rhaid gosod yr is-samplau ar hambwrdd neu ddalen sy'n lân a sych.

(6) Rhaid i unrhyw dalpiau gael eu torri'n ddarnau mân, a rhaid cymysgu'r is-samplau yn drwyadl gyda'i gilydd.

(7) Yna, rhaid i sampl gynrychiadol, sy'n pwyso 2 kg o leiaf, gael ei hanfon i'w dadansoddi.

PART 2

Sampling and analysis of organic manure

Slurry and other liquid and semi-liquid organic manure

1.—(1) In relation to slurry and other liquid and semi-liquid organic manure, at least five samples, each of 2 litres, must be taken.

(2) Subject to sub-paragraph (3), the five samples must be taken from a vessel, and—

(a) if reasonably practicable, the slurry must be thoroughly mixed before the samples are taken, and

(b) each sample must be taken from a different location.

(3) If a tanker used for spreading is fitted with a suitable valve, the samples may be taken while spreading, and each sample must be taken at intervals during the spreading.

(4) Whether taken as described in sub-paragraph (2) or (3), the five samples must be poured into a larger container, stirred thoroughly and a 2 litre sample must be taken from that container and poured into a smaller clean container.

(5) The 2 litre sample produced in accordance with sub-paragraph (4) must then be sent for analysis.

Solid manures

2.—(1) In relation to solid manures, the samples must be taken from a manure heap.

(2) At least ten samples of 1 kg each must be taken, each from a different location in a heap.

(3) Each sub-sample must be taken at least 0.5 metres from the surface of the heap.

(4) If samples are being collected to calculate compliance with the whole farm limit for pigs and poultry, four samples for analysis must be taken in a calendar year (one taken in each quarter) from manure heaps not more than 12 months old.

(5) The sub-samples must be placed on a clean, dry tray or sheet.

(6) Any lumps must be broken up and the sub-samples must be thoroughly mixed together.

(7) A representative sample of at least 2 kg must then be sent for analysis.

ATODLEN 4

Rheoliadau 20 a 22

Y cynydau a ganiateir am y cyfnod gwaharddedig

<i>Y cnwd</i>	<i>Y gyfradd uchaf o nitrogen (kg/hectar)</i>
Rêp had olew, gaeaf ^(a)	30
Merllys	50
Bresych ^(b)	100
Porfa ^{(a)(c)}	80
Sgaliwns wedi eu gaeafu	40
Perllys	40
Bylbiau winwns	40

^(a) Ni chaniateir taenu nitrogen ar gnydau ar ôl 31 Hydref.

^(b) Caniateir taenu 50 kg ychwanegol o nitrogen yr hectar bob pedair wythnos yn ystod y cyfnod gwaharddedig hyd at ddiwedd y cynhaeaf.

^(c) Caniateir taenu uchafswm o 40 kg o nitrogen yr hectar ar unrhyw un adeg.

SCHEDULE 4

Regulations 20 and 22

Permitted crops for the closed period

<i>Crop</i>	<i>Maximum nitrogen rate (kg/hectare)</i>
Oilseed rape, winter ^(a)	30
Asparagus	50
Brassica ^(b)	100
Grass ^{(a)(c)}	80
Over-wintered salad onions	40
Parsley	40
Bulb onion	40

^(a) Nitrogen must not be spread on crops after 31 October.

^(b) An additional 50 kg of nitrogen per hectare may be spread every four weeks during the closed period up to the end of harvest.

^(c) A maximum of 40 kg of nitrogen per hectare may be spread at any one time.

Y gofynion ar gyfer seilos

1. Y gofyniad sydd i'w fodloni mewn perthynas â seilo yw ei fod yn cydymffurfio â'r darpariaethau a ganlyn yn yr Atodlen hon.

2. Rhaid i sylfaen y seilo—

- (a) ymestyn y tu hwnt i unrhyw furiau sydd i'r seilo,
- (b) cael o'i hamgylch sianelau sydd wedi eu dylunio a'u hadeiladu fel eu bod yn casglu unrhyw elifiant silwair sy'n dianc o'r seilo, ac
- (c) bod â darpariaeth ddigonol ar gyfer draenio'r elifiant hwnnw o'r sianelau hynny i danc elifiant drwy sianel neu bibell.

3. Ni chaiff tanc elifiant dal llai nag—

- (a) yn achos seilo sy'n dal llai na 1,500 o fetrau ciwbig, 20 litr ar gyfer pob metr ciwbig o'r hyn y mae'r seilo yn ei ddal, a
- (b) yn achos seilo sy'n dal 1,500 o fetrau ciwbig neu fwy, 30 o fetrau ciwbig ac yn ychwanegol 6.7 litr ar gyfer pob metr ciwbig o'r hyn y mae'r seilo yn ei ddal uwchlaw 1,500 o fetrau ciwbig.

4.—(1) Rhaid i sylfaen y seilo—

- (a) bod wedi ei dylunio yn unol â'r cod ymarfer ar gyfer dylunio strwythurau concrit i gadw hylifau dyfrllyd a gyhoeddir gan y Sefydliad Safonau Prydeinig dan rif BS 8007: 1987(1), neu
- (b) bod wedi ei hadeiladu gan ddefnyddio asffalt wedi ei rolïo'n boeth yn unol â'r cod ymarfer ar gyfer dewis a defnyddio deunyddiau adeiladu a gyhoeddwyd gan y Sefydliad Safonau Prydeinig dan rif BS 5502: Rhan 21: 1990(2).

(2) Rhaid i sylfaen y seilo, sylfaen a muriau ei danc elifiant a sianelau a muriau unrhyw bibellau fod yn anhydraidd.

5. Rhaid i sylfaen a muriau'r seilo, ei danc elifiant a'i sianelau a muriau unrhyw bibellau, i'r graddau y mae hynny'n rhesymol ymarferol, allu gwrthsefyll ymosodiad gan elifiant silwair.

Requirements for silos

1. The requirement to be satisfied in relation to a silo is that it complies with the following provisions of this Schedule.

2. The base of the silo must—

- (a) extend beyond any walls of the silo,
- (b) be provided at its perimeter with channels designed and constructed so as to collect any silage effluent that escapes from the silo, and
- (c) have adequate provision for the drainage of that effluent from those channels to an effluent tank through a channel or pipe.

3. The capacity of the effluent tank must not be less than—

- (a) in the case of a silo with a capacity of less than 1,500 cubic metres, 20 litres for each cubic metre of silo capacity, and
- (b) in the case of a silo with a capacity of 1,500 cubic metres or more, 30 cubic metres plus 6.7 litres for each cubic metre of silo capacity in excess of 1,500 cubic metres.

4.—(1) The base of the silo must be—

- (a) designed in accordance with the code of practice for design of concrete structures for retaining aqueous liquids published by the British Standards Institution and numbered BS 8007: 1987(1), or
- (b) constructed using appropriate hot-rolled asphalt in accordance with the code of practice for selection and use of construction materials published by the British Standards Institution and numbered BS 5502: Part 21: 1990(2).

(2) The base of the silo, the base and walls of its effluent tank and channels and walls of any pipes must be impermeable.

5. The base and walls of the silo, its effluent tank and channels and the walls of any pipes must, so far as reasonably practicable, be resistant to attack by silage effluent.

(1) Dyddiad cyhoeddi: 30 Hydref 1987. ISBN 0-580-16134-X.
 (2) Dyddiad cyhoeddi: 31 Rhagfyr 1990. ISBN 0-580-18348-3.

(1) Publication date: 30 October 1987. ISBN 0-580-16134-X.
 (2) Publication date: 31 December 1990. ISBN 0-580-18348-3.

6. Ni chaniateir lleoli unrhyw ran o'r seilo, ei danc elifiant na'i sianelau nac unrhyw bibellau o fewn 10 metr i unrhyw ddyfroedd croyw mewndirol na dyfroedd arfordirol y gallai elifiant silwair fynd i mewn iddynt pe bai'n dianc.

7. Os oes gan y seilo furiau cynnal—

- (a) rhaid i'r muriau cynnal allu gwrthsefyll lleiafswm o lwythi mur sydd wedi eu cyfrifo ar y rhagdybiaethau ac yn y dull a ddangosir gan baragraff 15.6 o'r cod ymarfer ar adeiladau a strwythurau ar gyfer amaethyddiaeth a gyhoeddwyd gan y Sefydliad Safonau Prydeinig dan rif BS 5502: Rhan 22: 2003(1),
- (b) ni chaniateir i'r seilo bod wedi ei lwytho ar unrhyw adeg i ddyfnder sydd uwchlaw'r dyfnder eithaf sy'n gyson â'r rhagdybiaeth ddyluniol a wnaed o ran llwythi y muriau cynnal, ac
- (c) rhaid arddangos hysbysiadau ar y muriau cynnal yn unol â pharagraff 18 o'r cod ymarfer hwnnw.

8. Yn ddarostyngedig i baragraff 9, rhaid i'r seilo, ei danc elifiant a'i sianelau ac unrhyw bibellau fod wedi eu dylunio a'u hadeiladu fel y'u bod yn debygol, gyda'r gwaith cynnal a chadw priodol, o barhau i fodloni gofynion paragraffau 2 i 5 ac, os yw'n gymwys, paragraff 7(a) am o leiaf 20 mlynedd.

9. Os oes unrhyw ran o danc elifiant islaw wyneb y tir, rhaid i'r tanc fod wedi ei dylunio a'i adeiladu fel ei fod yn debygol o barhau i fodloni gofynion paragraffau 4 a 5 am o leiaf 20 mlynedd heb waith cynnal a chadw.

6. No part of the silo, its effluent tank or channels or any pipes may be situated within 10 metres of any inland freshwaters or coastal waters into which silage effluent could enter if it were to escape.

7. If the silo has retaining walls—

- (a) the retaining walls must be capable of withstanding minimum wall loadings calculated on the assumptions and in the manner indicated by paragraph 15.6 of the code of practice on buildings and structures for agriculture published by the British Standards Institution and numbered BS 5502: Part 22: 2003(1),
- (b) the silo must at no time be loaded to a depth exceeding the maximum depth consistent with the design assumption made in respect of the loadings of the retaining walls, and
- (c) notices must be displayed on the retaining walls in accordance with paragraph 18 of that code of practice.

8. Subject to paragraph 9, the silo, its effluent tank and channels and any pipes must be designed and constructed so that with proper maintenance they are likely to continue to satisfy the requirements of paragraphs 2 to 5 and, if applicable, paragraph 7(a) for at least 20 years.

9. If any part of an effluent tank is below ground level, the tank must be designed and constructed so that it is likely to continue to satisfy the requirements of paragraphs 4 and 5 for at least 20 years without maintenance.

Y gofynion ar gyfer systemau storio slyri

1. Mae'r gofynion sydd i'w bodloni mewn perthynas â system storio slyri fel a ganlyn.

2. Rhaid i sylfaen y tanc storio slyri, sylfaen a muriau unrhyw danc elifiant, sianelau a phydw derbyn, a muriau unrhyw bibellau fod yn anhydraidd.

3. Rhaid i sylfaen a muriau'r tanc storio slyri, unrhyw danc elifiant, sianelau a phydw derbyn, a muriau unrhyw bibellau fod wedi eu diogelu rhag cyrydiad yn unol â pharagraff 7 o'r cod ymarfer ar adeiladau a strwythurau ar gyfer amaethyddiaeth a gyhoeddwyd gan y Sefydliad Safonau Prydeinig dan rif BS 5502: Rhan 50: 1993(1).

4. Rhaid i sylfaen a muriau'r tanc storio slyri ac unrhyw bydew derbyn allu gwrthsefyll llwythi nodweddiadol sydd wedi eu cyfrifo ar y rhagdybiaethau ac yn y dull a ddangosir gan baragraff 5 o'r cod ymarfer ar adeiladau a strwythurau ar gyfer amaethyddiaeth a gyhoeddwyd gan y Sefydliad Safonau Prydeinig dan rif BS 5502: Rhan 50: 1993.

5.—(1) Rhaid bod gan unrhyw gyfleusterau a ddefnyddir i storio slyri dros dro cyn iddo gael ei drosglwyddo i danc storio slyri ddigon o le i storio—

- (a) yr uchafswm o slyri (gan ddiystyru unrhyw slyri a fydd yn cael ei drosglwyddo'n uniongyrchol i danc storio slyri) sy'n debygol o gael ei gynhyrchu yn y fangre mewn unrhyw gyfnod o ddau ddiwrnod, neu
- (b) swm llai y mae CANC wedi cytuno'n ysgrifenedig ei fod yn ddigonol i osgoi unrhyw risg sylweddol o lygru dyfroedd a reolir.

(2) Pan fo slyri yn llifo i mewn i sianel cyn cael ei ollwng i bydew derbyn a bod llif y slyri allan o'r sianel yn cael ei reoli gan lifddor, rhaid i'r hyn y gall y pydew derbyn ei ddal fod yn ddigonol i ddal yr uchafswm o slyri y gellir ei ollwng drwy agor y llifddor.

6. Yn achos tanciau storio slyri sydd â muriau wedi eu gwneud o bridd, rhaid i'r tanc fod ag o leiaf 750 mm o fwrdd rhydd, a 300 mm o fwrdd rhydd ym mhob achos arall.

Requirements for slurry storage systems

1. The requirements to be satisfied in relation to a slurry storage system are as follows.

2. The base of the slurry storage tank, the base and walls of any effluent tank, channels and reception pit, and the walls of any pipes, must be impermeable.

3. The base and walls of the slurry storage tank, any effluent tank, channels and reception pit, and the walls of any pipes, must be protected against corrosion in accordance with paragraph 7 of the code of practice on buildings and structures for agriculture published by the British Standards Institution and numbered BS 5502: Part 50: 1993(1).

4. The base and walls of the slurry storage tank and of any reception pit must be capable of withstanding characteristic loads calculated on the assumptions and in the manner indicated by paragraph 5 of the code of practice on buildings and structures for agriculture published by the British Standards Institution and numbered BS 5502: Part 50: 1993.

5.—(1) Any facilities used for the temporary storage of slurry before it is transferred to a slurry storage tank must have adequate capacity to store—

- (a) the maximum quantity of slurry that (disregarding any slurry which will be transferred directly into a slurry storage tank) is likely to be produced on the premises in any two day period, or
- (b) a lesser capacity that NRBW agrees in writing is adequate to avoid any significant risk of pollution of controlled waters.

(2) Where slurry flows into a channel before discharging into a reception pit and the flow of slurry out of the channel is controlled by means of a sluice, the capacity of the reception pit must be adequate to hold the maximum quantity of slurry that can be released by opening the sluice.

6. In the case of a slurry storage tanks with walls made of earth, the tank must have at least 750 mm of freeboard and 300 mm of freeboard in all other cases.

(1) Dyddiad cyhoeddi: 15 Ebrill 1993. ISBN 0-580-22053-2.

(1) Publication date: 15th April 1993. ISBN 0-580-22053-2.

7. Ni chaniateir lleoli unrhyw ran o'r tanc storio slyri, nac unrhyw danc elifiant na sianelau na phydeu derbyn o fewn 10 metr i unrhyw ddyfroedd croyw mewndirol na dyfroedd arfordirol y gallai slyri fynd i mewn iddynt pe bai'n dianc oni chymerir rhagofalon y mae CANC wedi cytuno'n ysgrifenedig eu bod yn ddigonol i osgoi unrhyw risg sylweddol o lygru dyfroedd a reolir.

8. Rhaid i'r tanc storio slyri ac unrhyw danc elifiant, sianelau, pibellau a phydeu derbyn fod wedi eu dylunio a'u hadeiladu fel y'u bod yn debygol, gyda'r gwaith cynnal a chadw priodol, o barhau i fodloni gofynion paragraffau 2 i 4 am o leiaf 20 mlynedd.

9. Os nad yw muriau'r tanc storio slyri yn anhydraidd, rhaid i sylfaen y tanc—

- (a) ymestyn y tu hwnt i'r muriau;
- (b) cael o'i hamgylch sianelau sydd wedi eu dylunio a'u hadeiladu fel eu bod yn casglu unrhyw slyri sy'n dianc o'r tanc;
- (c) bod â darpariaeth ddigonol ar gyfer draenio'r slyri o'r sianelau hynny i danc elifiant drwy sianel neu bibell.

10.—(1) Yn ddarostyngedig i is-baragraff (3), os oes pibell ddraenio wedi ei gosod yn y tanc storio slyri neu yn unrhyw danc elifiant neu bydeu derbyn, rhaid bod dwy falf mewn cyfres ar y bibell a bod pellter o 1 metr o leiaf rhwng un falf a'r llall.

(2) Rhaid i bob falf allu cau llif y slyri drwy'r bibell a rhaid eu cadw wedi eu cau ac wedi eu cloi yn y safle hwnnw pan nad ydynt yn cael eu defnyddio.

(3) Nid yw is-baragraff (1) yn gymwys mewn perthynas â thanc storio slyri sy'n draenio drwy'r bibell i danc storio slyri arall os yw'r tanc arall yn dal yr un faint neu fwy neu os yw topiau'r tanciau ar yr un lefel â'i gilydd.

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7. No part of the slurry storage tank or any effluent tank, channels or reception pit may be situated within 10 metres of any inland freshwaters or coastal waters into which slurry could enter if it were to escape unless precautions are taken that NRBW agrees in writing are adequate to avoid any significant risk of pollution of controlled waters.

8. The slurry storage tank and any effluent tank, channels, pipes and reception pit must be designed and constructed so that with proper maintenance they are likely to continue to satisfy the requirements of paragraphs 2 to 4 for at least 20 years.

9. If the walls of the slurry storage tank are not impermeable, the base of the tank must—

- (a) extend beyond the walls;
- (b) be provided with channels designed and constructed so as to collect any slurry that escapes from the tank;
- (c) have adequate provision for the drainage of the slurry from those channels to an effluent tank through a channel or pipe.

10.—(1) Subject to sub-paragraph (3), if the slurry storage tank or any effluent tank or reception pit is fitted with a drainage pipe there must be two valves in series on the pipe with each valve separated from the other by a minimum distance of 1 metre.

(2) Each valve must be capable of shutting off the flow of slurry through the pipe and must be kept shut and locked in that position when not in use.

(3) Sub-paragraph (1) does not apply in relation to a slurry storage tank that drains through the pipe into another slurry storage tank if the other tank is of equal or greater capacity or if the tops of the tanks are at the same level.

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