



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 2506 (Cy. 245)

2013 No. 2506 (W. 245)

AMAETHYDDIAETH, CYMRU

AGRICULTURE, WALES

DŴR, CYMRU

WATER, WALES

**Rheoliadau Atal Llygredd Nitradau
(Cymru) 2013**

**The Nitrate Pollution Prevention
(Wales) Regulations 2013**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn dirymu ac yn disodli Rheoliadau Atal Llygredd Nitradau (Cymru) 2008 a oedd yn rheoli'r broses o ddodi gwrtaith nitrogen mewn ardaloedd sy'n agored i niwed gan nitradau.

These Regulations revoke and replace the Nitrate Pollution Prevention (Wales) Regulations 2008 which controlled the application of nitrogen fertiliser in nitrate sensitive areas.

O ran Cymru, mae'r Rheoliadau hyn yn parhau i weithredu Cyfarwydddeb y Cyngor 91/676/EEC ynghylch diogelu dyfroedd rhag llygredd gan nitradau o ffynonellau amaethyddol (OJ Rhif L375, 31.12.91, t.1).

In relation to Wales, these Regulations continue to implement Council Directive 91/676/EEC concerning the protection of waters against pollution by nitrates from agricultural sources (OJ No. L375, 31.12.91, p.1).

Y prif newidiadau

Principal changes

Mae'r prif newidiadau fel a ganlyn.

The principal changes are as follows.

Mae rheoliad 4 yn gwneud darpariaeth drosiannol ar gyfer y daliadau hynny y dynodir o'r newydd eu bod mewn Parth Perygl Nitradau yn rhinwedd y Rheoliadau hyn, fel na fydd y rhan fwyaf o'r darpariaethau yn gymwys iddynt tan 1 Ionawr 2014. Ni fydd y darpariaethau ynglŷn â chyfnodau gwaharddedig ar gyfer taenu gwrtaith nitrogen ac ar gyfer storio tail organig yn gymwys tan 1 Awst 2015.

Regulation 4 makes transitional provision for those holdings newly designated within a Nitrate Vulnerable Zone by virtue of these Regulations, with most provisions not applying to them until 1 January 2014. Provisions relating to closed period for spreading nitrogen fertiliser and for storage of organic manure do not apply until 1 August 2015.

Mae rheoliad 7 yn dynodi parthau perygl nitradau.

Regulation 7 designates nitrate vulnerable zones.

Mae rheoliad 13 yn cyflwyno eithriad i'r terfyn o 250 kg ar nitrogen y caniateir ei ledaenu ar hectar penodol mewn parthau perygl nitradau.

Regulation 13 introduces an exception to the 250 kg limit on nitrogen which may be spread on a given hectare within nitrate vulnerable zones.

Mae rheoliad 16 yn ei gwneud yn ofynnol bod rhaid i'r meddiannydd, wrth gyfrifo cyfanswm y nitrogen a ddodir ar y tir, gynnwys yn y cyfrifiad hwnnw y nitrogen a gyfrennir gan yr holl dail organig a ddodir ar y tir.

Regulation 16 requires that when calculating the total amount of nitrogen applied to land the occupier must include the nitrogen contribution from all organic manure applied to the land in that calculation.

Mae rheoliad 17 yn cynyddu'r gwerth nitrogen a briodolir i dail da byw, ac yn rhagnodi'r modd y mae'n rhaid penderfynu gwerth nitrogen tail organig arall.

Mae rheoliad 22 yn caniatáu taenu tail organig o fewn 6 metr i ddŵr wyneb os taenir ef gan ddefnyddio cyfarpar taenu manwl.

Mae rheoliad 26 yn estyn y cyfnodau gwaharddedig ar gyfer taenu tail organig sydd â chyfran uchel o'i nitrogen ar gael yn rhwydd, yn achos pob math o bridd ac eithrio pridd tywodlyd neu bridd tenau, i 31 Ionawr, gydag effaith o 2014 ymlaen.

Mae rheoliad 29 yn lleihau'r maint o slyri y ceir ei daenu ar ôl diwedd y cyfnod gwaharddedig i 30 metr ciwbig am bob hectar.

Mae rheoliad 43 yn esemptio daliadau lle mae 80% neu ragor o'r arwynebedd amaethyddol wedi ei hau â phorfa ac sy'n cyfyngu ar ddodi nitrogen, rhag gofynion i gadw cofnodion penodol.

Y Rheoliadau

Mae Rhan 2 o'r Rheoliadau hyn yn dynodi parthau perygl nitradau, ac yn sefydlu gweithdrefn ar gyfer apelau yn erbyn y dynodiad.

Mae Rhan 3 yn gosod terfynau blynyddol ar y maint o nitrogen o dail organig y caniateir ei ddodi neu ei daenu ar ddaliad mewn parth perygl nitradau.

Mae Rhan 4 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 5 yn ei gwneud yn ofynnol i feddiannydd ddarparu map risg o'r daliad, ac yn gosod amodau ar sut, ym mhle a pha bryd y dylid taenu gwrtaith nitrogen.

Mae Rhan 6 yn pennu cyfnodau gwaharddedig pan na chaniateir taenu gwrtaith nitrogen.

Mae Rhan 7 yn gwneud darpariaeth ar gyfer y modd y mae'n rhaid storio gwrtaith nitrogen, ac yn ei gwneud yn ofynnol bod gofod digonol i storio'r tail a gynhyrchir ar y daliad yn ystod y cyfnod a bennir yn y Rhan honno.

Mae Rhan 8 yn pennu pa gofnodion y mae'n rhaid eu cadw.

Mae Rhan 9 yn ei gwneud yn ofynnol i Weinidogion Cymru adolygu'r Rheoliadau o fewn terfynau amser penodedig.

Mae'r Rheoliadau hyn i'w gorfodi gan Gorff Adnoddau Naturiol Cymru.

Regulation 17 increases the nitrogen value attributed to livestock manure and prescribes how the nitrogen value of other organic manure must be established.

Regulation 22 permits the spreading of organic manure within 6 meters of surface water if it is spread by precision spreading equipment.

Regulation 26 extends the closed periods for spreading organic manure with high readily available nitrogen for all soils other than sandy or shallow to 31 January with effect from 2014.

Regulation 29 reduces the amount of slurry that can be spread following the end of the closed period to 30 cubic metres per hectare.

Regulation 43 exempts holdings upon which 80% or more of the agricultural area is sown with grass and which limit their application of nitrogen from certain record keeping requirements.

The Regulations

Part 2 of these Regulations designate nitrate vulnerable zones, and establish an appeals procedure against the designation.

Part 3 imposes annual limits on the amount of nitrogen from organic manure that may be applied or spread in a holding in a nitrate vulnerable zone.

Part 4 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 fertiliser will be spread.

Part 5 requires an occupier to provide a risk map of the holding, and imposes conditions on how, where and when to spread nitrogen fertiliser.

Part 6 establishes closed periods during which it is prohibited to spread nitrogen fertiliser.

Part 7 makes provision for how nitrogen fertiliser must be stored, and requires storage capacity for manure produced on the holding during the period specified in that Part.

Part 8 specifies what records must be kept.

Part 9 requires the Welsh Ministers to review the Regulations within set time scales.

These Regulations are enforced by the Natural Resources Body of Wales.

Mae torri'r Rheoliadau hyn yn drosedd sy'n dwyn cosb—

- (a) ar gollfarn ddiannod, o ddirwy nad yw'n fwy na'r uchafswm statudol, neu
- (b) ar gollfarn ar dditiad, o ddirwy.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, paratowyd asesiad effaith rheoleiddiol o'r costau a manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn. Gellir cael copi gan y Gangen Rheoli Tir yn Gynaliadwy, Llywodraeth Cymru, Rhodfa Padarn, Llanbadarn Fawr, Aberystwyth, SY23 3UR.

Breach of these Regulations is an offence punishable—

- (a) on summary conviction, with a fine not exceeding the statutory maximum, or
- (b) on conviction on indictment, with a fine.

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 Sustainable Land Management Branch, Welsh Government, Rhodfa Padarn, Llanbadarn Fawr, Aberystwyth, SY23 3UR.

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**The Nitrate Pollution Prevention
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Gwnaed 1 Hydref 2013

Made 1 October 2013

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 2 Hydref 2013

Laid before the National Assembly for Wales
2 October 2013

Yn dod i rym 25 Hydref 2013

Coming into force 25 October 2013

CYNNWYS

CONTENTS

RHAN 1

PART 1

Rhagarweiniad

Introduction

1. Enwi
2. Cymhwyso
3. Dod i rym
4. Mesurau trosiannol ar gyfer daliadau nad oeddent gynt mewn parth perygl nitradau
5. Ystyr “dŵr llygredig”
6. Dehongli

1. Title
2. Application
3. Coming into force
4. Transitional measures for holdings not previously in a nitrate-vulnerable zone
5. Meaning of “polluted water”
6. Interpretation

RHAN 2

PART 2

Dynodi parthau perygl nitradau

Designation of nitrate vulnerable zones

7. Dynodi parthau perygl nitradau
8. Apelau
9. Achosion gerbron y person penodedig
10. Effaith penderfyniad a wneir gan y person penodedig
11. Adolygu parthau perygl nitradau

7. Designation of nitrate vulnerable zones
8. Appeals
9. Proceedings before the appointed person
10. Effect of a determination made by the appointed person
11. Review of nitrate vulnerable zones

RHAN 3

Cyfyngu ar ddodi tail organig

12. Dodi tail da byw – y terfyn o ran cyfanswm y nitrogen ar gyfer yr holl ddaliad
13. Taenu tail organig – terfynau nitrogen fesul hectar

RHAN 4

Y gofynion ar gyfer cnydau

14. Cynllunio'r modd y taenir gwrtaith nitrogen
15. Yr wybodaeth ychwanegol sydd i'w chofnodi yn ystod y flwyddyn
16. Cyfanswm y nitrogen sydd i'w daenu ar ddaliad
17. Cyfrifo maint y nitrogen sydd ar gael i'r cnwd ei amsugno o dail da byw
18. Terfynau nitrogen uchaf fesul cnwd

RHAN 5

Rheoli'r broses o daenu gwrtaith nitrogen

19. Mapiau risg
20. Pa bryd i daenu gwrtaith
21. Taenu gwrtaith nitrogen a weithgynhyrchwyd ger dŵr wyneb
22. Taenu tail organig ger dŵr wyneb, tyllau turio, ffynhonnau neu bydewau
23. Rheoli'r modd y taenir gwrtaith nitrogen
24. Corffori tail organig yn y ddaear

RHAN 6

Cyfnodau gwaharddedig ar gyfer taenu gwrtaith nitrogen

25. Ystyr "tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd"
26. Cyfnodau gwaharddedig ar gyfer taenu tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd
27. Esemptiadau: cnydau a heuir cyn 15 Medi
28. Esemptiadau ar gyfer daliadau organig
29. Cyfyngiadau ar ôl y cyfnod gwaharddedig
30. Amseroedd pan waherddir taenu gwrtaith nitrogen a weithgynhyrchwyd

PART 3

Limiting the application of organic manure

12. Application of livestock manure – total nitrogen limit for the whole holding
13. Spreading organic manure – nitrogen limits per hectare

PART 4

Crop requirements

14. Planning the spreading of nitrogen fertiliser
15. Additional information to be recorded during the year
16. Total nitrogen spread on a holding
17. Calculating the amount of nitrogen available for crop uptake from livestock manure
18. Maximum nitrogen limits by crop

PART 5

Controlling the spreading of nitrogen fertiliser

19. Risk maps
20. When to spread fertiliser
21. Spreading manufactured nitrogen fertiliser near surface water
22. Spreading organic manure near surface water, boreholes, springs or wells
23. Controlling how nitrogen fertiliser is spread
24. Incorporating organic manure into the ground

PART 6

Closed periods for spreading nitrogen fertiliser

25. Meaning of "organic manure with high readily available nitrogen"
26. Closed periods for spreading organic manure with high readily available nitrogen
27. Exemptions: crops sown before 15 September
28. Exemptions for organic holdings
29. Restrictions following the closed period
30. Times in which spreading manufactured nitrogen fertiliser is prohibited

RHAN 7
Storio tail organig

31. Storio tail organig
32. Safleoedd dros dro mewn caeau
33. Gofynion ychwanegol a fydd yn gymwys i safleoedd dros dro mewn caeau o 1 Ionawr 2014 ymlaen
34. Gwahanu slyri
35. Gofod ar gyfer storio

RHAN 8
Cyfrifiadau a chofnodion

36. Cofnodi maint y daliad
37. Cofnodion ynglŷn â storio tail yn ystod y cyfnod storio
38. Cofnodion blynyddol ynglŷn â storio
39. Cofnod o'r nitrogen a gynhyrchwyd gan anifeiliaid ar y daliad
40. Tail da byw a ddygwyd i'r daliad neu a anfonwyd ohono
41. Samplu a dadansoddi
42. Cofnodion o'r cnydau a heuwyd
43. Cofnodion o daenu gwrtaith nitrogen
44. Cofnodion dilynol
45. Cadw cyngor
46. Dal gafael ar gofnodion

RHAN 9
Adolygu

47. Monitro ac adolygu
48. Cyfranogiad y cyhoedd

RHAN 10
Gorfodi

49. Troseddau a chosbau
50. Gorfodi
51. Dirymu

PART 7
Storage of organic manure

31. Storage of organic manure
32. Temporary field sites
33. Further requirements applicable to temporary field sites from 1 January 2014
34. Separation of slurry
35. Storage capacity

PART 8
Calculations and records

36. Recording the size of the holding
37. Records relating to storage of manure during the storage period
38. Annual records relating to storage
39. Record of nitrogen produced by animals on the holding
40. Livestock manure brought on to or sent off the holding
41. Sampling and analysis
42. Records of crops sown
43. Records of spreading nitrogen fertiliser
44. Subsequent records
45. Keeping of advice
46. Duration of records

PART 9
Review

47. Monitoring and review
48. Public participation

PART 10
Enforcement

49. Offences and penalties
50. Enforcement
51. Revocations

ATODLEN 1 — Meintiau o dail, nitrogen a ffosffad a gynhyrchir gan dda byw sy'n pori a da byw nad ydynt yn pori

SCHEDULE 1 — Amount of manure, nitrogen and phosphate produced by grazing livestock and non-grazing livestock

ATODLEN 2	—	Rhywogaethau o ffrwythau
ATODLEN 3	—	Cyfrifo'r nitrogen sydd mewn tail organig
RHAN 1	—	Y tabl safonol
RHAN 2	—	Samplu a dadansoddi tail organig
ATODLEN 4	—	Y cnydau a ganiateir am y cyfnod gwaharddedig

SCHEDULE 2	—	Fruit Species
SCHEDULE 3	—	Calculating nitrogen in organic manure
PART 1	—	Standard table
PART 2	—	Sampling and analysis of organic manure
SCHEDULE 4	—	Permitted crops for the closed period

Mae Gweinidogion Cymru wedi'u dynodi(1) at ddibenion adran 2(2) o Ddeddf y Cymunedau Ewropeaidd 1972(2) mewn perthynas â materion sy'n ymwneud â diogelu dyfroedd rhag y llygredd a achosir gan nitradau o ffynonellau amaethyddol. Drwy arfer y pwerau a roddwyd iddynt gan yr adran honno, mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers are designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to matters relating to the protection of waters against pollution caused by nitrates from agricultural sources. In exercise of the powers conferred upon them by that section the Welsh Ministers make the following Regulations.

RHAN 1

Rhagarweiniad

PART 1

Introduction

Enwi

1. Enw'r Rheoliadau hyn yw Rheoliadau Atal Llygredd Nitradau (Cymru) 2013.

Cymhwyso

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

(2) Mae Rhannau 3 i 8 yn gymwys yn unig i ddaliad mewn parth perygl nitradau, a ddynodwyd fel y cyfryw gan y Rheoliadau hyn.

(3) Yn achos daliad sydd yn rhannol mewn parth perygl nitradau a ddynodwyd fel y cyfryw gan y Rheoliadau hyn, mae Rhannau 3 i 8 yn gymwys yn unig i'r rhan o'r daliad sydd oddi mewn i'r parth, ac y mae cyfeiriad at ddaliad yn gyfeiriad at y rhan honno.

Dod i rym

3. Daw'r Rheoliadau hyn i rym ar 25 Hydref 2013.

Title

1. The title of these Regulations is the Nitrate Pollution Prevention (Wales) Regulations 2013.

Application

2.—(1) These Regulations apply in relation to Wales.

(2) Parts 3 to 8 only apply to a holding in a nitrate vulnerable zone designated as such by these Regulations.

(3) In the case of a holding which is partly in a nitrate vulnerable zone designated as such by these Regulations, Parts 3 to 8 apply only in the part of the holding inside the zone, and a reference to a holding is a reference to that part.

Coming into force

3. These Regulations come into force on 25 October 2013.

(1) Gweler O.S. 2001/2555 am y dynodiad a roddwyd i Gynulliad Cenedlaethol Cymru. Yn rhinwedd adran 59 o Ddeddf Llywodraeth Cymru 2006, a pharagraff 28(1) o Atodlen 11 i'r Ddeddf honno, mae'r dynodiad hwnnw wedi ei freinio bellach yng Ngweinidogion Cymru.

(2) 1972 p. 68.

(1) See S.I. 2001/2555 for the designation conferred upon the National Assembly for Wales. By virtue of section 59 of, and paragraph 28(1) of Schedule 11 to, the Government of Wales Act 2006, that designation is now vested in the Welsh Ministers.

(2) 1972 c. 68.

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

4. Mewn daliad neu ran o ddaliad na leolir o fewn parth perygl nitradau o dan Reoliadau Atal Llygredd Nitradau (Cymru) 2008(1) ond a leolir o fewn ardal a ddynodwyd yn barth perygl nitradau o dan y Rheoliadau hyn—

- (a) ni fydd rheoliadau 12 i 22, rheoliad 23(2), rheoliadau 24 a 25, 30 i 33 a rheoliadau 36 i 46 yn gymwys tan 1 Ionawr 2014;
- (b) ni fydd rheoliad 23(1) yn gymwys tan 1 Ionawr 2016; ac
- (c) ni fydd rheoliadau 26 i 29 a 34 a 35 yn gymwys tan 1 Awst 2015.

Ystyr “dŵr llygredig”

5. Mae dŵr wedi'i lygru—

- (a) os yw'n ddŵr croyw ac yn cynnwys crynodiad nitradau sy'n uwch na 50 mg/l, neu y gallai ei gynnwys pe na bai'r Rheoliadau hyn yn gymwys yno, neu
- (b) os yw'n ewtroffig neu y gallai ddod yn ewtroffig yn y dyfodol agos pe na bai'r Rheoliadau hyn yn gymwys yno.

Dehongli

6. Yn y Rheoliadau hyn—

mae i “amaethyddiaeth” yr un ystyr a roddir i “*agriculture*” yn adran 109(3) o Ddeddf Amaethyddiaeth 1947;

ystyr “*ardal amaethyddol*” (“*agricultural area*”) yw unrhyw dir amaethyddol a ddefnyddir at ddibenion amaethyddol;

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, haid, bresych, rhyg a rhygwenith;

ystyr “*cynllun gwrteithio*” (“*fertilisation plan*”) yw cynllun a gafodd ei baratoi o dan reoliad 14(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;

Transitional measures for holdings not previously in a nitrate-vulnerable zone

4. In a holding or part of a holding that was not situated within a nitrate vulnerable zone under the Nitrate Pollution Prevention (Wales) Regulations 2008(1) but which is situated within an area designated as a nitrate vulnerable zone under these Regulations—

- (a) regulations 12 to 22, regulation 23(2), regulations 24 and 25, 30 to 33 and regulations 36 to 46 do not apply until 1 January 2014;
- (b) regulation 23(1) does not apply until 1 January 2016; and
- (c) regulations 26 to 29 and 34 and 35 do not apply until 1 August 2015.

Meaning of “polluted water”

5. Water is polluted if—

- (a) it is freshwater and contains a concentration of nitrates greater than 50 mg/l, or could do so if these Regulations were not to apply there, or
- (b) it is eutrophic or may in the near future become eutrophic if these Regulations were not to apply there.

Interpretation

6. In these Regulations—

“*agricultural area*” (“*ardal amaethyddol*”) means any agricultural land used for agricultural purposes;

“*agriculture*” (“*amaethyddiaeth*”) has the same meaning as in section 109(3) of the Agriculture Act 1947;

“*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;

“*eutrophic*” (“*ewtroffig*”) means water that is enriched by nitrogen compounds, causing an accelerated growth of algae and higher forms of plant life that produces an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned;

“*fertilisation plan*” (“*cynllun gwrteithio*”) means a plan prepared under regulation 14(1)(c);

“*grass*” (“*porfa*”) means—

(1) O.S. 2008/3143 (Cy. 278).

(1) S.I. 2008/3143 (W. 278).

ystyr “daliad” (“*holding*”) yw'r holl dir sydd o fewn parth perygl nitradau ynghyd â'i adeiladau cysylltiedig sydd ar gael i'r meddiannydd ac sy'n cael eu defnyddio i dyfu cnydau mewn pridd neu fagu da byw at ddbenion amaethyddol;

ystyr “dofednod” (“*poultry*”) yw dofednod a bennir yn Atodlen 1;

ystyr “ewtroffig” (“*eutrophic*”) yw dŵr sydd wedi'i gyfoethogi gan gyfansoddion nitrogen, sy'n peri i algâu a ffurfiau uwch ar fywyd planhigol dyfu'n gyflymach, gan darfu mewn modd annymunol ar gydbwysedd yr organeddau sy'n bresennol yn y dŵr ac ar ansawdd y dŵr o dan sylw;

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

ystyr “gwrtaiith ffosffad a weithgynhyrchwyd” (“*manufactured phosphate fertiliser*”) yw unrhyw wrtaiith ffosffad (ac eithrio tail organig) sydd wedi'i weithgynhyrchu drwy broses ddiwydiannol;

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

ystyr “gwrtaiith nitrogen a weithgynhyrchwyd” (“*manufactured nitrogen fertiliser*”) yw unrhyw wrtaiith nitrogen (ac eithrio tail organig) sydd wedi'i weithgynhyrchu drwy broses ddiwydiannol;

ystyr “porfa” (“*grass*”) yw—

- (a) glaswelltir parhaol neu laswelltir dros dro (ystyr dros dro yw am gyfnod llai na phedair blynedd);
- (b) sy'n bodoli rhwng hau ac aredig y borfa; ac
- (c) mae'n cynnwys cnydau yr heuwyd porfa oddi tanynt,
- (d) ond nid yw'n cynnwys glaswelltir sydd â 50% neu ragor o feillion;

“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

- (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,
- (d) 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 the land located within a nitrate vulnerable zone 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
- (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” (“*gwrtaiith nitrogen a weithgynhyrchwyd*”) means any nitrogen fertiliser (other than organic manure) manufactured by an industrial process;

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

“nitrogen fertiliser” (“*gwrtaiith 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;

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

“phosphate fertiliser” (“*gwrtaiith 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;

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

- (b) yn yr haen o ddyfnder 40 i 80 cm—
- (i) mwy na 70 % yn ôl pwysau o ronynnau y mae eu 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;
 - (iii) llai na 5 % yn ôl pwysau o garbon organig;

ystyr “slyri” (“*slurry*”) yw carthion a gynhyrchir gan dda byw (ac eithrio dofednod) tra bônt mewn buarth neu adeilad (gan gynnwys unrhyw sarn, dŵr glaw neu olchiadau a gymysgwyd gyda'r carthion hynny) ac y mae eu tewdra yn caniatáu iddynt gael eu pwmpio neu eu gollwng drwy ddisgyrchiant (yn achos carthion sydd wedi'u gwahanu i'w ffracsiynau hylifol a'u rhai solet, y ffracsiwn hylifol yw'r slyri);

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 sydd â'u ffynhonnell yn anifeiliaid, planhigion neu fodau dynol, ac mae'n cynnwys tail da byw; ac

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'i selio); ac
- (c) sydd o leiaf 50 metr i ffwrdd o gwrs dŵr neu ddyfrffos sy'n arwain at gwrs dŵr.

RHAN 2

Dynodi parthau perygl nitradau

Dynodi parthau perygl nitradau

7.—(1) Yn y Rhan hon—

ystyr “daliad perthnasol” (“*relevant holding*”) yw tir ynghyd â'i adeiladau cysylltiedig sydd ar gael i'r meddiannydd ac sy'n cael eu defnyddio i dyfu cnydau mewn pridd neu i fagu da byw at ddibenion amaethyddol, ac sydd yn gyfan gwbl neu'n rhannol o fewn ardal—

- (a) y mae Corff Adnoddau Naturiol Cymru yn argymhell; a
- (b) y mae Gweinidogion Cymru â'u bryd ar dderbyn yr argymhelliad hwnnw (gyda diwygiadau neu hebddynt) mewn perthynas â'r ardal honno,

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

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

“slurry” (“*slyri*”) means excreta produced by livestock (other than poultry) while in a yard or building (including any bedding, rainwater or washings mixed with it) that has a consistency that allows it to be pumped or discharged by gravity (in the case of excreta separated into its liquid and solid fractions, the slurry is the liquid fraction);

“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.

PART 2

Designation of nitrate vulnerable zones

Designation of nitrate vulnerable zones

7.—(1) In this Part—

“the appointed person” (“*y person penodedig*”) means a person appointed by the Welsh Ministers;

“relevant holding” (“*daliad perthnasol*”) means 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, and which are wholly or partly within an area which—

- (a) the Natural Resources Body for Wales recommends; and
- (b) in relation to which the Welsh Ministers are minded to accept that recommendation (with or without amendment),

y dylid ei dynodi, neu barhau ei dynodiad, yn barth perygl nitradau at ddibenion y Rheoliadau hyn;

ystyr “y person penodedig” (“*the appointed person*”) yw person a benodwyd gan Weinidogion Cymru.

(2) Mae'r ardaloedd a nodir yn barthau perygl nitradau ar y map o'r enw “Parthau Perygl Nitradau Map Mynegai 2013” (“*Nitrate Vulnerable Zones Index Map 2013*”) ac a adneuwyd yn swyddfeydd Llywodraeth Cymru ym Mharc Cathays, Caerdydd, CF10 3NQ wedi eu dynodi yn barthau perygl nitradau at ddibenion y Rheoliadau hyn.

(3) Parthau perygl nitradau yw darnau o dir sy'n draenio i ddyfroedd llygredig ac yn cyfrannu at lygru'r dyfroedd hynny.

(4) I gynorthwyo Gweinidogion Cymru mewn perthynas â'u dyletswydd i adolygu o dan reoliad 11(3), rhaid i Gorff Adnoddau Naturiol Cymru, ar y dyddiad y daw'r Rheoliadau hyn i rym a phob pedair blynedd fan hwyraf wedi hynny, wneud argymhellion i Weinidogion Cymru, gan gyfeirio at y materion a grybwyllir yn rheoliad 11(3)(a) i (c), ynglŷn â pha ardaloedd y dylid eu dynodi, neu y dylid parhau eu dynodiad, yn barthau perygl nitradau at ddibenion y Rheoliadau hyn.

(5) Mae unrhyw argymhellion ynglŷn â'r materion a nodir yn rheoliad 7(4) ac a wnaed gan Gorff Adnoddau Naturiol Cymru cyn y dyddiad y daw'r Rheoliadau hyn i rym yn cael effaith fel petaent wedi eu gwneud ar y dyddiad hwnnw.

(6) Rhaid i Weinidogion Cymru gyhoeddi'r argymhellion hynny a wnaed gan Gorff Adnoddau Naturiol Cymru y maent â'u bryd ar eu derbyn (gyda diwygiadau neu hebddynt) ac anfon hysbysiad o'r argymhellion i unrhyw berchennog neu feddiannydd daliad perthnasol.

(7) Rhaid i hysbysiad gynnwys cyfeiriad at dudalen ar wefan a gynhelir gan Gorff Adnoddau Naturiol Cymru neu Weinidogion Cymru, lle y mae modd dod o hyd i'r argymhelliad perthnasol (gydag unrhyw ddiwygiad y mae Gweinidogion Cymru â'u bryd ar ei wneud iddo).

Apelau

8.—(1) Caiff perchennog neu feddiannydd daliad perthnasol yr anfonwyd hysbysiad iddo o dan reoliad 7(6) apelio i Weinidogion Cymru yn erbyn yr hysbysiad hwnnw.

(2) Dim ond ar un neu ragor o'r seiliau a nodir ym mharagraff (3) y ceir apelio.

be, or continue to be, designated as a nitrate vulnerable zone for the purposes of these Regulations.

(2) The areas marked as nitrate vulnerable zones on the map marked “Nitrate Vulnerable Zones Index Map 2013” (“*Parthau Perygl Nitradau Map Mynegai 2013*”) and deposited at the offices of the Welsh Government at Cathays Park, Cardiff, CF10 3NQ are designated as nitrate vulnerable zones for the purposes of these Regulations.

(3) Nitrate vulnerable zones are areas of land that drain into polluted waters and that contribute to the pollution of those waters.

(4) To assist the Welsh Ministers in relation to the duty to review under regulation 11(3), the Natural Resources Body for Wales must, on the date on which these Regulations come into force, and at the latest every four years subsequently, make recommendations to the Welsh Ministers by reference to the matters mentioned in regulation 11(3)(a) to (c) as to which areas be designated, or continue to be designated, as nitrate vulnerable zones for the purposes of these Regulations.

(5) Any recommendations as to the matters stated at regulation 7(4) which have been made by the Natural Resources Body for Wales prior to the date on which these Regulations come into force have effect as if made on that date.

(6) The Welsh Ministers must publish the recommendations of the Natural Resources Body for Wales which they are minded to accept (with or without amendment) and send notice of the recommendations to any owner or occupier of a relevant holding.

(7) A notice must contain a reference to a page on a website maintained by the Natural Resources Body for Wales or the Welsh Ministers where the relevant recommendation (with any amendment the Welsh Ministers are minded to make to it) can be found.

Appeals

8.—(1) The owner or occupier of a relevant holding who is sent a notice under regulation 7(6) may make an appeal against that notice to the Welsh Ministers.

(2) The appeal is to be made only on one or more of the grounds stated in paragraph (3).

(3) Y seiliau yw na ddylai Gweinidogion Cymru, mewn perthynas â'r daliad perthnasol neu unrhyw ran ohono, dderbyn argymhellion Corff Adnoddau Naturiol Cymru (yn ddarostyngedig i unrhyw ddiwygiad y mae Gweinidogion Cymru â'u bryd ar ei wneud iddynt) oherwydd—

- (a) nad yw'r daliad perthnasol nac unrhyw ran ohono yn draenio i ddŵr y mae Gweinidogion Cymru â'u bryd ar ei nodi'n llygredig neu'n parhau i'w nodi felly; neu
- (b) bod y daliad perthnasol neu unrhyw ran ohono yn draenio i ddŵr na ddylai Gweinidogion Cymru ei nodi'n llygredig, neu na ddylent barhau i'w nodi felly.

(4) Rhaid seilio'r apêl ar naill ai—

- (a) data a ddarperir gan yr apelydd; neu
- (b) tystiolaeth a ddarperir gan yr apelydd bod y data y mae Gweinidogion Cymru'n dibynnu arnynt yn anghywir.

(5) Rhaid i'r apêl—

- (a) cael ei gwneud yn ysgrifenedig yn y dull a'r ffurf a gyhoeddir gan Weinidogion Cymru;
- (b) cynnwys manylion yr holl dystiolaeth y mae'r apelydd yn bwriadu dibynnu arni; ac
- (c) cyrraedd Gweinidogion Cymru ddim hwyrach na 35 diwrnod ar ôl y dyddiad yr anfonodd Gweinidogion Cymru yr hysbysiad y mae'r apêl yn ymwneud ag ef.

(6) Rhaid i Weinidogion Cymru gyfeirio'r apêl ymlaen at y person penodedig i'w hystyried a'i phenderfynu ganddo.

Achosion gerbron y person penodedig

9.—(1) Os bodlonir y person penodedig fod apêl a gyflwynwyd yn cydymffurfio â gofynion rheoliad 8 ym mhob manylyn o bwys, rhaid i'r person penodedig fynd ymlaen i benderfynu'r apêl.

(2) Y person penodedig sydd i bennu'r weithdrefn ar gyfer penderfynu'r apêl.

(3) Ond mae hynny'n ddarostyngedig i ddarpariaethau canlynol y rheoliad hwn.

(4) Cyn penderfynu'r apêl rhaid i'r person penodedig, gan ganiatáu pa bynnag gyfnod o amser sy'n rhesymol—

- (a) gwahodd yr apelydd a Gweinidogion Cymru i gyflwyno sylwadau a dogfennau ategol mewn perthynas â'r apêl;
- (b) anfon copi at Weinidogion Cymru o unrhyw sylwadau a dogfennau ategol a gyflwynwyd gan yr apelydd;

(3) The grounds are that in relation to the relevant holding or any part of it, the recommendations of the Natural Resources Body for Wales (subject to any amendment the Welsh Ministers are minded to make to them) should not be accepted by the Welsh Ministers because the relevant holding or any part of it—

- (a) does not drain into water which the Welsh Ministers are minded to identify, or continue to identify, as being polluted; or
- (b) drains into water that the Welsh Ministers should not identify, or continue to identify, as being polluted.

(4) The appeal is to be based on either—

- (a) data provided by the appellant; or
- (b) evidence provided by the appellant that the data relied on by the Welsh Ministers is incorrect.

(5) The appeal must—

- (a) be made in writing in the manner and form published by the Welsh Ministers;
- (b) include details of all the evidence that the appellant intends to rely on; and
- (c) be received by the Welsh Ministers no later than 35 days after the date on which the Welsh Ministers sent the notice to which the appeal relates.

(6) The Welsh Ministers must remit the appeal to the appointed person for consideration and determination.

Proceedings before the appointed person

9.—(1) If the appointed person is satisfied that a submitted appeal complies with the requirements of regulation 8 in all material particulars, the appointed person must proceed to determine the appeal.

(2) The procedure for determining the appeal is to be decided by the appointed person.

(3) But that is subject to the following provisions of this regulation.

(4) Before determining the appeal the appointed person must, allowing such time as is reasonable—

- (a) invite the appellant and the Welsh Ministers to submit representations and supporting documents in relation to the appeal;
- (b) send to the Welsh Ministers a copy of any representations and supporting documents submitted by the appellant;

- (c) anfon copi at yr apelydd o unrhyw sylwadau a dogfennau ategol a gyflwynwyd gan Weinidogion Cymru;
- (d) rhoi cyfle i'r apelydd ac i Weinidogion Cymru gyflwyno sylwadaethau i'r person penodedig, ar sylwadau a dogfennau ategol y naill a'r llall.

(5) Caiff y person penodedig, ar unrhyw adeg, ofyn am wybodaeth bellach gan yr apelydd neu gan Weinidogion Cymru.

(6) Caiff y person penodedig wahodd unrhyw berson y mae'n ymddangos bod ganddo fuddiant sylweddol yn yr apêl i gyflwyno sylwadau, ond rhaid iddo roi cyfle i'r apelydd ac i Weinidogion Cymru gyflwyno sylwadaethau ar unrhyw sylwadau a wnaed.

(7) Caiff y person penodedig anwybyddu unrhyw sylwadau, sylwadaethau neu ddogfennau a gyflwynir mewn unrhyw fodd ac eithrio'n unol â darpariaethau'r Rheoliadau hyn.

(8) Caiff y person penodedig, os bodlonir ef fod amgylchiadau eithriadol yn bodoli, gynnull gwrandawriad llafar.

(9) Bydd gan yr apelydd a Gweinidogion Cymru hawl i ymddangos mewn unrhyw wrandawriad llafar, a chaiff y person penodedig ganiatáu i unrhyw barti arall ymddangos yno.

(10) Pan fo apêl wedi ei phenderfynu, rhaid i'r person penodedig anfon copi o'r penderfyniad at yr holl bartïon i'r apêl.

(11) Rhaid i bob un sy'n barti i apêl dalu ei gostau ei hunan.

(12) Caiff yr apelydd dynnu apêl yn ôl ar unrhyw adeg cyn ei phenderfynu gan y person penodedig.

(13) Mae tynnu apêl yn ôl yn effeithiol wrth i'r apelydd roi hysbysiad ysgrifenedig i'r person penodedig.

(14) Os tynnir apêl yn ôl bydd y person penodedig yn peidio â bod o dan ddyletswydd i'w hystyried a'i phenderfynu.

Effaith penderfyniad a wneir gan y person penodedig

10.—(1) Mae penderfyniad y person penodedig mewn apêl yn rhwymo Gweinidogion Cymru.

(2) Rhaid i Weinidogion Cymru gyhoeddi, ar wefan a gynhelir ganddynt hwy, bob penderfyniad apêl gan y person penodedig.

- (c) send to the appellant a copy of any representations and supporting documents submitted by the Welsh Ministers;

- (d) allow the appellant and the Welsh Ministers an opportunity to submit comments on each other's representations and supporting documents to the appointed person.

(5) The appointed person may at any time request further information from the appellant or the Welsh Ministers.

(6) The appointed person may invite any person appearing to have a significant interest in an appeal to submit representations, but must allow the appellant and the Welsh Ministers an opportunity to submit comments on any representations made.

(7) The appointed person may disregard any representations, comments or documents which have been submitted other than in accordance with the provisions of these Regulations.

(8) The appointed person may, if satisfied that exceptional circumstances exist, convene an oral hearing.

(9) At an oral hearing the appellant and the Welsh Ministers have the right to appear, and the appointed person may permit any other party to appear.

(10) On determining an appeal, the appointed person must send a copy of the determination to all parties to the appeal.

(11) All parties to an appeal are to bear their own costs.

(12) An appeal may be withdrawn by the appellant at any time before it is determined by the appointed person.

(13) Withdrawal of an appeal is to be effected by the appellant giving notice in writing to the appointed person.

(14) If an appeal is withdrawn, the appointed person ceases to be under a duty to consider and determine it.

Effect of a determination made by the appointed person

10.—(1) The Welsh Ministers are bound by a determination of an appeal by the appointed person.

(2) The Welsh Ministers must publish on a website maintained by them all determinations of appeals by the appointed person.

Adolygu parthau perygl nitradau

11.—(1) Rhaid i Weinidogion Cymru gadw dan adolygiad yn gyson gyflwr ewtroffig dyfroedd wyneb croyw, dyfroedd aberol a dyfroedd arfordirol.

(2) Cyn 1 Ionawr 2017, ac o leiaf bob pedair blynedd ar ôl hynny, rhaid i Weinidogion Cymru fonitro'r crynodiad nitradau mewn dyfroedd croyw dros gyfnod o un flwyddyn—

- (a) mewn safleoedd samplu sy'n gynrychiadol o ddŵr wyneb, o leiaf bob mis ac yn amlach yn ystod cyfnodau llifogydd, a
- (b) mewn safleoedd samplu sy'n gynrychiadol o ddŵr daear, ar adegau rheolaidd a chan gymryd i ystyriaeth ddarpariaethau Cyfarwyddeb y Cyngor 98/83/EC ar ansawdd dŵr a fwriedir ar gyfer ei yfed gan bobl(1),

ac eithrio yn achos y safleoedd samplu hynny lle'r mae'r crynodiad nitradau ym mhob sampl blaenorol a gymerwyd at y diben hwn wedi bod islaw 25 mg/l ac nad oes unrhyw ffactor newydd wedi ymddangos sy'n debygol o gynyddu'r cynnwys nitradau, ac mewn achos o'r fath, bob wyth mlynedd yn unig y bydd angen ail gynnal y rhaglen fonitro.

(3) Ar ddiwedd pob cyfnod o bedair neu wyth mlynedd fan hwyraf, rhaid i Weinidogion Cymru—

- (a) nodi'r dŵr y mae llygredd yn effeithio arno neu ddŵr y gallai llygredd effeithio arno pe na chymhwysid y rheolaethau sydd yn y Rheoliadau hyn yn yr ardal honno, gan ddefnyddio'r meini prawf yn Atodiad I i Gyfarwyddeb y Cyngor 91/676/EEC ynghylch diogelu dyfroedd rhag llygredd a achosir gan nitradau o ffynonellau amaethyddol(2);
- (b) nodi tir sy'n draenio i'r dyfroedd hynny, neu i ddŵr a nodwyd yn yr un modd yn Lloegr, ac sy'n cyfrannu at lygru'r dyfroedd hynny;
- (c) cymryd i ystyriaeth newidiadau a ffactorau nas rhagwelwyd pan wnaed y dynodiad blaenorol; a
- (d) os oes angen, diwygio'r parthau perygl nitradau a ddynodir neu ychwanegu atynt.

Review of nitrate vulnerable zones

11.—(1) The Welsh Ministers must keep under review the eutrophic state of fresh surface waters, estuarial and coastal waters.

(2) Before 1 January 2017, and at least every four years subsequently, the Welsh Ministers must monitor the nitrate concentration in freshwaters over a period of one year—

- (a) at sampling stations that are representative of surface water, at least monthly and more frequently during flood periods, and
- (b) at sampling stations that are representative of groundwater, at regular intervals and taking into account the provisions of Council Directive 98/83/EC on the quality of water intended for human consumption(1),

except for those sampling stations where the nitrate concentration in all previous samples taken for this purpose has been below 25 mg/l and no new factor likely to increase the nitrate content has appeared, in which case the monitoring programme need be repeated only every eight years.

(3) At the end of each four year or eight year period at the latest the Welsh Ministers must—

- (a) identify water that is or could be affected by pollution if the controls in these Regulations are not applied in that area, using the criteria in Annex I to Council Directive 91/676/EEC concerning the protection of waters against pollution caused by nitrates from agricultural sources(2);
- (b) identify land that drains into those waters, or water similarly identified in England, and that contributes to the pollution of those waters;
- (c) take into account changes and factors unforeseen at the time of the previous designation; and
- (d) if necessary revise or add to the designation of nitrate vulnerable zones.

(1) OJ Rhif L330, 5.12.1998, t.32.

(2) OJ Rhif L375, 31.12.1991, t.1 fel y'i diwygiwyd ddiwethaf gan Reoliad (EC) 1137/2008 (OJ Rhif L311, 21.11.2008, t.1).

(1) OJ No. L330, 5.12.1998, p.32.

(2) OJ No. L375, 31.12.1991, p.1 as last amended by Regulation (EC) 1137/2008 (OJ No. L311, 21.11.2008, p.1).

RHAN 3

Cyfyngu ar ddodi tail organig

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

12.—(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'i 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 y diben o ganfod maint y nitrogen y caniateir ei daenu ar y daliad, diystyryr 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

13.—(1) Yn ddarostyngedig i baragraff (2), rhaid i feddiannydd daliad sicrhau, mewn unrhyw gyfnod o ddeuddeng 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—

- (i) 1000 kg mewn unrhyw gyfnod o bedair blynedd os dodir ef fel tomwellt ar dir perllan; neu
- (ii) 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 17 ar gyfer penderfynu'r cynnwys nitrogen.

(4) Yn y rheoliad hwn—

- (a) ystyr “tir perllan” (“*orchard land*”) yw tir y tyfir arno unrhyw ffrwyth a restrir yn Atodlen 2.
- (b) ystyr “compost ardystiedig” (“*certified compost*”) 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

PART 3

Limiting the application of organic manure

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

12.—(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

13.—(1) Subject to paragraph (2), the occupier of a holding must ensure that, in any twelve 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—

- (i) 1000 kg in any four year period if it is applied as mulch to orchard land; or
- (ii) 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 17 for establishing nitrogen content.

(4) In this regulation—

- (a) “orchard land” (“*tir perllan*”) means land on which any fruit listed in Schedule 2 is grown.
- (b) “certified compost” (“*compost ardystiedig*”) 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

Ionawr 2011(1) ac nad yw'n cynnwys unrhyw dail da byw.

- (c) Rhaid i'r meddiannydd gadw yn ei feddiant gadarnhad ysgrifenedig fod y tail organig yn cydymffurfio ag is-baragraff (b).

RHAN 4

Y gofynion ar gyfer cynydau

Cynllunio'r modd y taenir gwrtaitn nitrogen

14.—(1) Rhaid i feddiannydd daliad sy'n bwriadu taenu gwrtaitn 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 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; ac
- (c) llunio cynllun ar gyfer taenu gwrtaitn nitrogen ar gyfer y tymor tyfu hwnnw.

(2) Yn achos unrhyw gnwd nad yw'n laswelltir parhaol, rhaid i'r meddiannydd wneud hyn cyn taenu unrhyw wrtaitn nitrogen am y tro cyntaf er mwyn gwrtaitnio cnwd sydd wedi'i blannu neu y bwriedir ei blannu.

(3) Yn achos glaswelltir parhaol, rhaid i'r meddiannydd wneud hyn bob blwyddyn sy'n dechrau ar 1 Ionawr cyn taenu gwrtaitn 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'i thorri ynteu'i phori);

materials dated January 2011(1) and contains no livestock manure.

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

PART 4

Crop Requirements

Planning the spreading of nitrogen fertiliser

14.—(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 do this 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 do this 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);

(1) Cyhoeddir gan y Sefydliad Safonau Prydeinig, 389 Chiswick High Road, Llundain W5 5AL (www.bsigroup.com), ISBN 978-0-580-65307-0.

(1) Published by the British Standards Institution, 389 Chiswick High Road, London W5 5AL (www.bsigroup.com), ISBN 978-0-580-65307-0.

- (c) y cyflenwad nitrogen yn y pridd wedi'i 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 â'r); ac
- (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.

- (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) 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

15.—(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 gwrrtaith 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

16.—(1) Hyd at 31 Rhagfyr 2013, 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 da byw yn y tymor tyfu y'i taenir ynddo, a gyfrifir yn unol â rheoliad 17,

yn fwy yn ystod unrhyw gyfnod o ddeuddeng mis na'r terfynau a bennir yn rheoliad 18.

(2) Ar neu ar ôl 1 Ionawr 2014, 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

Additional information to be recorded during the year

15.—(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

16.—(1) Until 31 December 2013 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 livestock manure in the growing season in which it is spread calculated in accordance with regulation 17,

does not in any twelve month period exceed the limits set out in regulation 18.

(2) On or after 1 January 2014, irrespective of the figure in the plan, an occupier must ensure that the total amount of—

- (a) nitrogen from manufactured nitrogen fertiliser, and

- (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 17,

yn fwy yn ystod unrhyw gyfnod o ddeuddeng mis na'r terfynau a bennir yn rheoliad 18.

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

17.—(1) Rhaid i'r meddiannydd benderfynu cyfanswm y nitrogen mewn tail da byw, at ddibenion rheoliad 16, drwy—

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

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

Y ganran sydd ar gael

Math o dail da byw	Maint y nitrogen sydd ar gael i'r cnwd ei amsugno yn y tymor taenu y'i taenir ynddo	
	Hyd at 31 Rhagfyr 2013	O 1 Ionawr 2014
Slyri gwartheg	35%	40%
Slyri moch	45%	50%
Tail dofednod	30%	30%
Tail da byw eraill	10%	10%

(3) Mewn perthynas â phob tail organig arall, rhaid i'r meddiannydd benderfynu cyfanswm y nitrogen sydd ar gael i'r cnwd ei amsugno yn y tymor tyfu y'i taenir ynddo, at ddibenion rheoliad 16—

- (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 Llawlyfr Gwrteithiau (RB 209) (8^{fed} Argraffiad)(1) (ynddo, cyfeirir atynt fel “nitrogen available to the next crop”); neu
(c) drwy samplu a dadansoddi yn unol â Rhan 2 o Atodlen 3.

(1) Cyhoeddir The Fertiliser Manual (RB209), 8^{fed} argraffiad, gan TSO, Mehefin 2010, ISBN 978-0-11-243286-9.

- (b) nitrogen available for crop uptake from organic manure, in the growing season in which it is spread calculated in accordance with regulation 17,

does not in any twelve month period exceed the limits set out in regulation 18.

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

17.—(1) The occupier must establish the total amount of nitrogen in livestock manure, for the purposes of regulation 16, 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) 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;

Available percentage

Type of livestock manure	Amount of nitrogen available for crop uptake in the growing season in which it is spread	
	Until 31 December 2013	From 1 January 2014
Cattle slurry	35%	40%
Pig slurry	45%	50%
Poultry manure	30%	30%
Other livestock manure	10%	10%

(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 16—

- (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 Fertiliser Manual (RB 209) (8th Edition)(1) (referred to therein as “nitrogen available to the next crop”); or
(c) by sampling and analysis in accordance with Part 2 of Schedule 3.

(1) The Fertiliser Manual (RB209), 8th edition, is published by TSO, June 2010, ISBN 978-0-11-243286-9.

Terfynau nitrogen uchaf fesul cnwd

18.—(1) 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 hwnnw, ac wedi ei luosi gyda chyfanswm yr arwynebedd, mewn hectarau, o'r cnwd hwnnw a heuwyd ar y daliad.

Meintiau uchaf o nitrogen

<i>Cnwd</i>	<i>Maint y nitrogen a ganiateir (kg)^(a)</i>	<i>Cynnyrch safonol (tunnell/ha)</i>
Betys coch	350	dd/g
Betys siwgr	120	dd/g
Blodfresych	350	dd/g
Bresych	350	dd/g
Calabrese	350	dd/g
Cennin	350	dd/g
Corffa	250	dd/g
Courgettes	250	dd/g
Ffa dringo	250	dd/g
Ffa maes	0	dd/g
Gwenith a heuir yn y gwanwyn	180 ^{(c)(d)}	7.0
Gwenith a heuir yn yr hydref neu'r gaeaf cynnar	220 ^{(b)(c)(d)}	8.0
Haidd y gaeaf	180 ^{(b)(c)}	6.5
Haidd y gwanwyn	150 ^(c)	5.5
India-corn	250	dd/g
Indrawn porthi	150	dd/g
Letys	250	dd/g
Maip	250	dd/g
Merllys	150	dd/g
Moron	150	dd/g
Pannas	250	dd/g
Porfa	300 ^(f)	dd/g
Pys	0	dd/g
Radis	150	dd/g
Rêp had olew y gaeaf	250 ^(e)	3.5
Seleri	250	dd/g
Swêds	150	dd/g
Tatws	270	dd/g
Winwns	250	dd/g
Ysgewyll Brwsel	350	dd/g

Maximum nitrogen limits by crop

18.—(1) 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.

Maximum nitrogen

<i>Crop</i>	<i>Permitted amount of nitrogen (kg)^(a)</i>	<i>Standard yield (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
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

Nodiadau

- (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 weithgynhyrchir. Ceir cynyddu'r maint a ganiateir o 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 dorrir deirgwaith, o leiaf, bob blwyddyn.

RHAN 5

Rheoli'r broses o daenu gwrtaith nitrogen

Mapiau risg

19.—(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 oleddf 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'i 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 opsiynol 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 35).

Notes

- (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.

PART 5

Controlling the spreading of nitrogen fertiliser

Risk maps

19.—(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 35).

(4) Os yw meddiannydd yn taenu tail organig drwy ddefnyddio cyfarpar taenu manwl hyd at 6 metr o ddŵr wyneb fel y caniateir gan reoliad 22(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.

Pa bryd i daenu gwrrtaith

20.—(1) Rhaid i feddiannydd sy'n bwriadu taenu gwrrtaith 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 neb daenu gwrrtaith 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 ar—

- (a) goleddf y tir, yn enwedig os yw'r goleddf 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; a
- (f) presenoldeb draeniau tir.

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

Taenu gwrrtaith nitrogen a weithgynhyrchwyd ger dŵr wyneb

21. Ni chaiff neb daenu gwrrtaith nitrogen a weithgynhyrchwyd o fewn 2 fetr i ddŵr wyneb.

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

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

(4) If an occupier spreads organic manure by using precision spreading equipment up to 6 metres from surface water as permitted by regulation 22(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

20.—(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) 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 or snow covered, or has been frozen for more than 12 hours in the previous 24 hours.

Spreading manufactured nitrogen fertiliser near surface water

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

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

22.—(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

(1) 1981 p. 69.

(1) 1981 c. 69.

(ii) yn ddarostyngedig i ymrwymiad amaeth-amgylcheddol a wnaed o dan Reoliad y Cyngor (EC) Rhif 1698/2005 (ynghlŷn â chymorth ar gyfer datblygu gwledig o Gronfa Amaethyddiaeth Ewrop ar gyfer Datblygu Gwledig (EAFRD)(1));

- (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 tonnelli yr hectar.

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

(4) At ddibenion y rheoliad hwn diffinnir "cyfarpar taenu manwl" ("*precision spreading equipment*") fel system gwadnau llusg, bar diferion neu chwistrellydd.

Rheoli'r modd y taenir gwrtaitn nitrogen

23.—(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) Gellir defnyddio cyfarpar taenu sydd â thafliad 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 filimetr yr awr pan fydd wrthi'n gweithredu'n ddi-dor.

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

Corffori tail organig yn y ddaear

24.—(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 hwyrhaf.

(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 hwyrhaf, oni ddodwyd y slyri a'r hylif gan ddefnyddio cyfarpar o fath a ddisgrifir yn rheoliad 22(4).

(ii) subject to an agri-environment commitment entered into under Council Regulation (EC) 1698/2005 (on support for rural development by the European Agricultural Fund for Rural Development (EAFRD)(1));

- (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.

(4) For the purposes of this regulation "precision spreading equipment" ("*cyfarpar taenu manwl*") is defined as a trailing shoe, dribble bar or injector system.

Controlling how nitrogen fertiliser is spread

23.—(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 can 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 millimetres 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

24.—(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 22(4).

(1) OJ Rhif L277, 21.10.2005, t. 1.

(1) OJ No. L277, 21.10.2005, p.1.

(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.

(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.

RHAN 6

Cyfnodau gwaharddedig ar gyfer taenu gwrtaith nitrogen

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

25. Yn y Rhan hon ystyr “tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd” (“*organic manure with high readily available nitrogen*”) 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.

PART 6

Closed periods for spreading nitrogen fertiliser

Meaning of “organic manure with high readily available nitrogen”

25. In this Part “organic manure with high readily available nitrogen” (“*tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd*”) 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

26. Yn ddarostyngedig i reoliadau 27 a 28, ni chaiff neb 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”)—

Closed periods for spreading organic manure with high readily available nitrogen

26. Subject to regulations 27 and 28, no person may spread organic manure with high readily available nitrogen on land between the following dates, all inclusive (“the closed period”)—

Y cyfnod gwaharddedig

	Hyd at 31 Rhag 2013		Ar neu ar ôl 1 Ion 2014	
Math o bridd	Glaswelltir	Tir tro	Glaswelltir	Tir tro
Pridd tywodlyd neu denau	1 Medi i 31 Rhagfyr	1 Awst i 31 Rhagfyr	1 Medi i 31 Rhagfyr	1 Awst i 31 Rhagfyr
Pob math arall o bridd	15 Hydref i 15 Ionawr	1 Hydref i 15 Ionawr	15 Hydref i 31 Ionawr	1 Hydref i 31 Ionawr

The closed period

	Until 31 Dec 2013		On or after 1 Jan 2014	
Soil type	Grassland	Tillage land	Grassland	Tillage land
Sandy or shallow soil	1 September to 31 December	1 August to 31 December	1 September to 31 December	1 August to 31 December
All other soils	15 October to 15 January	1 October to 15 January	15 October to 31 January	1 October to 31 January

Esemptiadau: cnydau a heuir cyn 15 Medi

27. 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.

Exemptions: crops sown before 15 September

27. 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.

Esemptiadau ar gyfer daliadau organig

28. Caiff meddiannydd daliad sydd wedi'i gofrestru'n gynhyrchydd organig gyda chorff a gofrestrwyd gyda'r Pwyllgor Cynghori ar Safonau Organig(1) daenu tail organig sydd â chyfran uchel o nitrogen ar gael yn rhwydd ar unrhyw adeg—

- (a) ar gnydau a restrir yn y tabl yn Atodlen 4 (cnydau a ganiateir am y cyfnod gwaharddedig), neu
- (b) ar gnydau eraill yn unol â chyngor 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

29. O ddiwedd y cyfnod gwaharddedig tan ddiwedd Chwefror—

- (a) 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 dofednod y caniateir ei daenu ar unrhyw un adeg; a
- (b) rhaid bod o leiaf dair wythnos rhwng pob taeniad.

Amseroedd pan waherddir taenu gwrtaith nitrogen a weithgynhyrchwyd

30.—(1) Ni chaiff neb 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 cnydau 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 Cynghorwyr am Wrteithiau.

(1) Corff cyhoeddus anadrannol anweithredol yw'r Pwyllgor Cynghori ar Safonau Organig, sy'n cymeradwyo cyrff arolygu organig.

(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.

Exemptions for organic holdings

28. An occupier of a holding registered as an organic producer with a body registered with the Advisory Committee on Organic Standards(1) may spread organic manure with high readily available nitrogen at any time on—

- (a) crops listed in the table in Schedule 4 (permitted crops for the closed period), or
- (b) 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

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

- (a) 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 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.

Times in which spreading manufactured nitrogen fertiliser is prohibited

30.—(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.

(1) The Advisory Committee on Organic Standards is a non-executive, non departmental public body that approves organic inspection bodies.

(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.

RHAN 7

Storio tail organig

Storio tail organig

31. 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 thraed ei hun, ac nad oes hylif yn draenio o'r deunydd, ar safle dros dro mewn cae.

Safleoedd dros dro mewn caeau

32.—(1) Rhaid i safle dros dro mewn cae beidio â bod—

- (a) mewn cae sy'n agored i lifogydd neu fynd yn ddyfrlawn;
- (b) o fewn 50m i ffynnon, pydew neu dwll turio neu o fewn 10m i ddŵr wyneb neu draen tir (ac eithrio pibell anhydraidd sydd wedi'i selio);
- (c) mewn unrhyw leoliad unigol 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 a gedwir ar safle dros dro mewn cae, gael ei orchuddio â deunydd anhydraidd.

Gofynion ychwanegol a fydd yn gymwys i safleoedd dros dro mewn caeau o 1 Ionawr 2014 ymlaen

33. Yn ychwanegol at reoliad 32, o 1 Ionawr 2014 ymlaen—

- (a) rhaid peidio â symud uwchbridd o'r tir lle y bwriedir adeiladu safle dros dro mewn cae;
- (b) rhaid i safle dros dro mewn cae beidio â bod o fewn 30m i gwrs dŵr ar dir y nodir ar y map risg fod ei oleddf yn fwy na 12°; a
- (c) dylid 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

34. Rhaid i'r broses o wahanu slyri i'w ffracsionau solet a hylifol gael ei chyflawni'n fecanyddol neu ar

PART 7

Storage of Organic Manure

Storage of organic manure

31. 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.

Temporary field sites

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

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

Further requirements applicable to temporary field sites from 1 January 2014

33. Further to regulation 32, from 1 January 2014—

- (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 30m 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 should be as small as reasonably practicable to minimise the leaching effect of rainfall.

Separation of slurry

34. Separation of slurry into its solid and liquid fractions must either be carried out mechanically or on

wyneb anhydraidd lle mae'r ffracsiwn hylifol yn draenio i mewn i gynhwysydd addas.

Gofod ar gyfer storio

35.—(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, golchiadau 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 tail wythnos ychwanegol fel mesur wrth gefn pe na bai'n bosibl taenu ar rai dyddiadau.

(5) At ddibenion y rheoliad hwn y "cyfnod storio" ("*storage period*") (mae pob dyddiad yn gynwysedig) 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.

RHAN 8

Cyfrifiadau a chofnodion

Cofnodi maint y daliad

36.—(1) Rhaid i feddiannydd daliad gynnal cofnod o faint cyfan y daliad wedi'i gyfrifo'n unol â rheoliad 12(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

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

an impermeable surface where the liquid fraction drains into a suitable receptacle.

Storage capacity

35.—(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) For the purposes of this regulation the "storage period" ("*cyfnod storio*") (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.

PART 8

Calculations and records

Recording the size of the holding

36.—(1) The occupier of a holding must maintain a record of the total size of the holding calculated in accordance with regulation 12(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

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

- (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 35, gan ddefnyddio'r ffigurau yn Atodlen 1;
- (b) maint y gofod storio (cynwysyddion slyri a lloriau caled) y mae ei angen i'w gwneud yn bosibl i gydymffurfio â rheoliad 35, 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

38.—(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 35, 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.

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

39.—(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 ddofednod a letyir yn barhaol, caiff y meddiannydd ddefnyddio—

- (a) meddalwedd a gymeradwywyd gan Weinidogion Cymru; neu

- (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 in regulation 35, using the figures in Schedule 1;
- (b) the amount of storage capacity (slurry vessels and hardstanding) required to enable compliance with regulation 35, 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

38.—(1) Before 30 April each year the occupier of a holding with livestock must record, for the previous storage period referred to in regulation 35 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.

Record of nitrogen produced by animals on the holding

39.—(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) 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

40.—(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 derbynydd; 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 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

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

Cofnodion o'r cnydau a heuwyd

42. 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.

- (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

40.—(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 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

41. 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

42. 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.

Cofnodion o daenu gwrtaith nitrogen

43.—(1) Yn ddarostyngedig i baragraff (3) isod, o fewn un wythnos ar ôl taenu 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) isod, o fewn un wythnos ar ôl taenu 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.

Cofnodion dilynol

44.—(1) Rhaid i feddiannydd sydd wedi defnyddio gwrtaith nitrogen gofnodi'r cynnyrch a gafwyd o gnwd â'r o fewn wythnos ar ôl canfod 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

45. 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

46. Rhaid i unrhyw berson y mae'n ofynnol iddo wneud cofnod o dan y Rheoliadau hyn ddal gafael ar y cofnod hwnnw am bum mlynedd.

Records of spreading nitrogen fertiliser

43.—(1) Subject to paragraph (3) below, 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) below, 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.

Subsequent records

44.—(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

45. 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

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

RHAN 9

Adolygu

Monitro ac adolygu

47.—(1) O leiaf bob pedair blynedd rhaid i Weinidogion Cymru adolygu effeithiolrwydd y cyfyngiadau mewn parthau perygl nitradau a osodwyd gan y Rheoliadau hyn fel modd i leihau neu atal llygredd dŵr a achosir gan nitradau o ffynonellau amaethyddol ac, os yw'n angenrheidiol, eu diwygio.

(2) Er mwyn gwneud hyn rhaid i Weinidogion Cymru sefydlu rhaglen fonitro i asesu effeithiolrwydd y cyfyngiadau yn y Rheoliadau hyn.

(3) Wrth gynnal yr adolygiad hwn, 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.

Cyfranogiad y cyhoedd

48.—(1) Wrth gynnal yr adolygiad hwn rhaid i Weinidogion Cymru sicrhau cyfleoedd cynnar ac effeithiol i'r cyhoedd gyfranogi.

(2) Rhaid i Weinidogion Cymru wneud trefniadau digonol ar gyfer cyfranogiad y cyhoedd, er mwyn galluogi'r cyhoedd i baratoi ac i gyfranogi'n effeithiol.

(3) Rhaid i Weinidogion Cymru sicrhau—

- (a) yr ymgynghorir â'r cyhoedd ynghylch unrhyw gynigion, ac y rhoddir gwybodaeth berthnasol am y cynigion hynny ar gael i'r cyhoedd, gan gynnwys gwybodaeth am yr hawl i gyfranogi yn y broses o wneud penderfyniadau ac am y corff y dylid cyflwyno sylwadaethau neu gwestiynau iddo; a
- (b) bod hawl gan y cyhoedd i wneud sylwadaethau a mynegi barn pan fo'r holl opsiynau'n agored, cyn bo penderfyniadau ar y cynlluniau a'r rhaglenni wedi eu gwneud.

(4) Rhaid i Weinidogion Cymru nodi'r aelodau o'r cyhoedd y mae hawl ganddynt i gael eu cynnwys yn yr ymgynghoriad, gan gynnwys cyrff anllywodraethol sy'n hyrwyddo diogelwch yr amgylchedd.

(5) Rhaid caniatáu amser rhesymol ar gyfer ymgynghori.

(6) Rhaid cymryd yr ymgynghori i ystyriaeth wrth gyrraedd penderfyniad.

(7) Ar ôl yr ymgynghori, rhaid i Weinidogion Cymru hysbysu'r cyhoedd o'r penderfyniadau a wnaed a'r

PART 9

Review

Monitoring and review

47.—(1) At least every four years the Welsh Ministers must review the effectiveness of the restrictions in nitrate vulnerable zones imposed by these Regulations as a means of reducing or preventing water pollution caused by nitrates from agricultural sources and if necessary revise them.

(2) In order to do this the Welsh Ministers must establish a monitoring programme to assess the effectiveness of the restrictions in these Regulations.

(3) When carrying out this review 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.

Public participation

48.—(1) When carrying out this review the Welsh Ministers must ensure that the public is given early and effective opportunities to participate.

(2) The Welsh Ministers must make adequate arrangements for public participation to enable the public to prepare and participate effectively.

(3) The Welsh Ministers must ensure that—

- (a) the public is consulted about any proposals and that relevant information about such proposals is made available to the public, including information about the right to participate in decision-making and about the body to which comments or questions may be submitted; and
- (b) the public is entitled to express comments and opinions when all options are open before decisions on the plans and programmes are made.

(4) The Welsh Ministers must identify the members of the public entitled to be consulted, including non-governmental organisations promoting environmental protection.

(5) Reasonable time must be allowed for consultation.

(6) Consultation must be taken into account in reaching a decision.

(7) Following consultation the Welsh Ministers must inform the public about the decisions taken and the

rhesymau a'r ystyriaethau y seiliwyd y penderfyniadau hynny arnynt, gan gynnwys gwybodaeth am broses cyfranogiad y cyhoedd.

reasons and considerations upon which those decisions are based, including information about the public participation process.

RHAN 10

Gorfodi

Troseddau a chosbau

49.—(1) Mae unrhyw berson sy'n torri unrhyw ddarpariaeth o'r Rheoliadau hyn yn euog o drosedd ac yn agored—

- (a) o'i gollfarnu'n ddiannod, i ddirwy nad yw'n fwy na'r uchafswm statudol, neu
- (b) o'i gollfarnu ar dditad, i ddirwy.

(2) Os yw corff corfforaethol yn euog o drosedd o dan y Rheoliadau hyn, ac os profir bod y drosedd wedi ei chyflawni drwy gydsyniad neu ymoddefiad, neu i'w phriodoli i unrhyw esgeulustod ar ran—

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

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

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

Gorfodi

50. Gorfodir y Rheoliadau hyn gan Gorff Adnoddau Naturiol Cymru.

Dirymu

51. Mae Rheoliadau Atal Llygredd Nitradau (Cymru) 2008(1) wedi eu dirymu.

PART 10

Enforcement

Offences and penalties

49.—(1) Any person who breaches any provision of these Regulations is guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum, or
- (b) on conviction on indictment, to a fine.

(2) 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.

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

Enforcement

50. These Regulations are enforced by the Natural Resources Body for Wales.

Revocations

51. The Nitrate Pollution Prevention (Wales) Regulations 2008(1) are revoked.

Alun Davies

Y Gweinidog Cyfoeth Naturiol a Bwyd,
un o Weinidogion Cymru

1 Hydref 2013

Minister for Natural Resources and Food, one of the
Welsh Ministers

1 October 2013

ATODLEN 1

Rheoliadau 6 a 39

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>Categori</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	69
Ar ôl y llo cyntaf a'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) —			
O 3 mis ymlaen ac o dan 13 mis:	20	91	33
O 13 mis ymlaen ac o dan 25 mis:	26	137	43
O 25 mis ymlaen—			

<i>Categori</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 benyw neu fustych i'w cigyddu	32	137	60
gwartheg benyw ar gyfer bridio—			
sy'n pwyso 500kg neu lai:	32	167	65
sy'n pwyso mwy na 500kg:	45	227	86
Teirw			
Nad ydynt ar gyfer bridio, ac sy'n 3 mis a throsodd	26	148	24
Bridio—			
o 3 mis ymlaen ac o dan 25 mis:	26	137	43
o 25 mis ymlaen:	26	132	60
Defaid			
O 6 mis ymlaen hyd at 9 mis oed:	1.8	5.5	0.76
O 9 mis oed hyd at wyna am y tro cyntaf, hwrddu am y tro cyntaf, neu gigydda:	1.8	3.9	2.1
Ar ôl wyna neu hwrddu ^(b) —			
yn pwyso llai na 60kg:	3.3	21	8.8
yn pwyso o 60kg i fyny:	5	33	10.0
Geifr, ceirw a cheffylau			
Geifr:	3.5	41	18.8
Ceirw—			
bridio:	542	17.6	
eraill:	3.5	33	11.7
Ceffylau:	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 hyd nes bo'r hŵyn yn chwe mis oed.

Tabl 2

Da byw nad ydynt yn pori

<i>Categori</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:	7	23	12.7
Dofednod^(a)			
Leir 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
Leir a fegir ar gyfer cig:	0.06	1.06	0.72
Leir a fegir ar gyfer bridio—			
o dan 25 wythnos:	0.04	0.86	0.78
o 25 wythnos ymlaen:	0.12	2.02	1.5
Tyrcwn—			
gwryw:	0.16	3.74	3.1
benyw:	0.12	2.83	2.3
Hwyaidd:	0.10	2.48	2.4
Estrysiaidd:	1.6	3.83	18.5
Moch			
Yn pwyso o 7kg i fyny ac yn llai na 13kg:	1.3	4.1	1.3
Yn pwyso o 13kg i fyny ac yn llai na 31kg:	2	14.2	6.0
Yn pwyso o 31kg i fyny ac yn llai na 66kg—			
porthir â bwyd sych:	3.7	24	12.1

<i>Categori</i>	<i>Tail a gynhyrchir gan bob anifail yn ddydiol (litrau)</i>	<i>Nitrogen a gynhyrchir gan bob anifail yn ddydiol (gramau)</i>	<i>Ffosffad a gynhyrchir gan bob anifail yn ddydiol (gramau)</i>
porthir â hylifau:	7.1	24	12.1
Yn pwyso o 66kg i fyny ac—			
a fwriedir i'w cigyddda—			
porthir â bwyd sych:	5.1	33	17.9
porthir â hylifau:	10	33	17.9
hychod a fwriedir ar gyfer bridio			
ond nad ydynt eto wedi cael eu	5.6	38	20
torllwyth cyntaf:			
hychod (gan gynnwys eu			
torllwythi yn pwyso hyd at 7kg			
pob porchell) a borthwyd ar	10.9	44	37
ddeiët gydag ychwanegiadau o			
asidau amino synthetig:			
hychod (gan gynnwys eu			
torllwythi yn pwyso hyd at 7kg			
pob porchell) a borthwyd ar	10.9	49	37
ddeiët heb ychwanegiadau o			
asidau amino synthetig:			
baeddod bridio o 66 kg hyd at	5.1	33	17.9
150 kg:			
baeddod bridio o 150 kg i fyny:	8.7	48	28

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

SCHEDULE 1

Regulations 6 and 39

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	69
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) —			
From 3 months and less than 13 months:	20	91	33
From 13 months and less than 25 months:	26	137	43
From 25 months—			
females or steers for slaughter:	32	137	60
females for breeding—			
weighing 500kg or less:	32		65
weighing more			

<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>
	than 500kg:	227	86
Bulls			
Non-breeding, 3 months and over:	45	148	24
Breeding—			
from 3 months and less than 25 months:	26	137	43
from 25 months:	26	132	60
Sheep			
From 6 months up to 9 months old:	1.8	5.5	0.76
From 9 months old to first lambing, first tugging or slaughter:	1.8	3.9	2.1
After lambing or tugging ^(b) —			
weight less than 60kg:	3.3	21	8.8
weight from 60kg:	5	33	10.0
Goats, deer and horses			
Goats:	3.5	41	18.8
Deer—			
breeding:	542	17.6	
other:	3.5	33	11.7
Horses:	24	58	56
^(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.			
Table 2			
Non-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			
Veal calves:	7	23	12.7
Poultry^(a)			
Chickens used for production of eggs for			

<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>
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
Chickens raised for breeding—			
less than 25 weeks:	0.04	0.86	0.78
from 25 weeks:	0.12	2.02	1.5
Turkeys—			
male:	0.16	3.74	3.1
female:	0.12	2.83	2.3
Ducks:	0.10	2.48	2.4
Ostriches:	1.6	3.83	18.5
Pigs			
Weight from 7kg and less than 13kg:	1.3	4.1	1.3
Weight from 13kg and less than 31kg:	2	14.2	6.0
Weight from 31kg and less than 66kg—			
dry fed:	3.7	24	12.1
liquid fed:	7.1	24	12.1
Weight from 66kg and—			
intended for slaughter—			
dry fed:	5.1	33	17.9
liquid fed:	10	33	17.9
sows intended for breeding that have not yet had their first litter:	5.6	38	20
sows (including their litters up to a weight of 7kg per piglet) fed on a diet supplemented with synthetic amino acids:	10.9	44	37
sows (including their litters up to a weight of 7kg per piglet) fed on a diet without synthetic amino acids:	10.9	49	37
breeding boars from 66kg up to			

<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>
150kg:	5.1	33	17.9
breeding boars, from 150kg:	8.7	48	28

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

ATODLEN 2

Rheoliad 13

Rhywogaethau o ffrwythau

Enw Botanegol	Enw Cyffredin
<i>Cydonia oblonga</i>	Cwins
<i>Malus domestica</i>	Afalau
<i>Mespilus germanica</i>	Afalau tindwll
<i>Morus</i> spp.	Mwyar Mair
<i>Prunus armenaica</i>	Bricyll
<i>Prunus avium</i>	Ceirios melys
<i>Prunus cerasus</i>	Ceirios duon (coginio)
<i>Prunus ceracifera</i>	Eirin myrobalan
<i>Prunus domestica</i>	Eirin
<i>Prunus domestica</i> subsp. <i>insititia</i>	Eirin hirion
<i>Prunus persica</i>	Eirin gwlanog
<i>Prunus persica</i> var. <i>nectarina</i>	Nectarinau
<i>Prunus x gondouinii</i>	Ceirios y Dug
<i>Prunus spinosa</i>	Eirin duon bach
<i>Pyrus communis</i>	Gellyg
<i>Pyrus pyrifolia</i>	Gellyg Asia

SCHEDULE 2

Regulation 13

Fruit Species

Botanical Name	Common Name
<i>Cydonia oblonga</i>	Quince
<i>Malus domestica</i>	Apple
<i>Mespilus germanica</i>	Medlar
<i>Morus</i> spp.	Mulberry
<i>Prunus armenaica</i>	Apricot
<i>Prunus avium</i>	Sweet cherry
<i>Prunus cerasus</i>	Sour (cooking) cherry
<i>Prunus ceracifera</i>	Cherry plum
<i>Prunus domestica</i>	Plum
<i>Prunus domestica</i> subsp. <i>insititia</i>	Damson, Bullace
<i>Prunus persica</i>	Peach
<i>Prunus persica</i> var. <i>nectarina</i>	Nectarine
<i>Prunus x gondouinii</i>	Duke cherry
<i>Prunus spinosa</i>	Sloe
<i>Pyrus communis</i>	Pear
<i>Pyrus pyrifolia</i>	Asian pear

ATODLEN 3

Rheoliadau 17, 39 a 40

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 dyrcewn neu ieir brwylio:	30
<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 17, 39 and 40

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:	30
<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 arni ar gyfer taenu, caniateir i'r samplau gael eu cymryd tra'n taenu, 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 1kg 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 deuddeng 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) Rhaid i sampl gynrychiadol, sy'n pwyso 2kg o leiaf, gael ei hanfon wedyn 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 1kg 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 twelve 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 2kg must then be sent for analysis.

ATODLEN 4

Rheoliadau 28 a 30

Y cnydau 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'u gaeafu	40
Perllys	40
Bylbiau winwns	40

^(a) Rhaid peidio â thaenu nitrogen ar y cnydau hyn ar ôl 31 Hydref.

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

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

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SCHEDULE 4

Regulations 28 and 30

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 onions	40

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

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

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

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