

Compliance Assessment Report

Report ID:
CAR_NRW0020581

This form will report compliance with your permit as determined by an NRW officer

Site	Baglan Power Station	Permit Ref	BJ7891IT		
Operator/Permit holder	Baglan Operations Limited				
Regime	Installations				
Date of assessment	26/04/2016	Time in	09:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Monitoring				
Lead officer's name	Evans, Gary Lewis				
Accompanied by					
Recipient's name/position	Paul Fitzsimmons/ Operations Manager	Date issued	18/05/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
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KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

The site visit was arranged to following questions regarding the new reporting requirements as a result of the new IED LCP Permits issued in December 2015.

The company require clarification over the forms and details required.

Table S4.4 Reporting forms

Media/ parameter	Reporting format	Starting Point	NRW recipient	Date of form
Air & Energy	Form IED AR1 – SO ₂ , NO _x and dust mass emission and energy	01/01/16	SI	31/12/15
LCP	Form IED HR1 – operating hours	01/01/16	SI	31/12/15
Air	Form IED CON 2 – continuous monitoring	01/01/16	SI	31/12/15
CEMs	Form IED CEM – invalidation log	01/01/16	SI	31/12/15
Air	Form IED PM1 - discontinuous monitoring and load	01/01/16	SI	31/12/15
Water	Form water 1 or other form as agreed in writing by NRW	01/01/16	SI	31/12/01
Sewer	Form sewer 1 or other form as agreed in writing by NRW	01/01/16	SI	31/12/01

A number of the aspects on monitoring are outlined in the *“Electricity Supply Industry – IED Compliance Protocol for Utility Boilers and Gas Turbines (Update December 2015)”*

- Particulate Monitoring/Dust

The dust monitoring is outlined as a calculation (detailed in JEP page 26)

“Dust emissions from natural gas firing shall be reported on the basis of emission factors [9] without continuous or periodic monitoring. Natural gas is an ash-free fuel and high efficiency combustion does not generate additional particulate matter. The fuel gas is always filtered and, in the case of gas turbines, the inlet air is also filtered resulting in a lower dust concentration in the flue than in the surrounding air.”

- Carbon Monoxide

“Continuous CO monitoring is required for all gas fired plant with > 100MW thermal input under the IED⁴⁷. This shall not apply in cases where ELV compliance is not required, e.g., gas turbines for emergency use that operate for less than 500h per year. Continuous monitoring may also not be required for plant with a declared limited life-time of less than 10,000h”

As outlined above the Dragon LNG installation utilises gas as their Cogen Plant Fuel and do not have the option of utilising other fuels such as liquid or solid. Thus will not specifically require continuous particulate monitoring. This situation is clarified in Section 4.2.2 of the JEP ESI IED Compliance Protocol page 26:-

“Peripheral measurements are required in order to correct measured concentrations to the reporting reference conditions for the process. Oxygen measurement is always required and this is the only parameter needed to correct gaseous emissions that are measured on a dry basis, normally the case at gas turbine plant.

Stack temperature and absolute pressure measurement are required by the IED. However, since these parameters are only needed for dust emissions correction, they shall only be required in these circumstances.

Water vapour concentration measurement is mandatory when measuring gas concentrations on a wet basis. Continuous dust monitoring is always on a wet basis but, if the moisture is not measured for the gas species, it shall be acceptable to calculate the moisture content as specified in Section 6.3.2, provided that the calculated values are checked by the Test Laboratory. Periodic dust monitoring is based on a collected mass of dust associated with a dry gas volume which then needs to be corrected to the same duct conditions as the continuous measurement. It should be noted that the oxygen correction factor is much more significant than the water vapour correction, especially at the high O₂ levels typical of gas turbine operation.”

The protocol also outlines the requirements around stack gas flow on page 27:-

“Mass emissions reporting is required for inventory purposes and for compliance purposes for plant within the Transitional National Plan. A calculated stack gas flow rate, based on fuel consumption, is normally used to calculate the mass release from the measured emission concentration. The calculation shall be performed using the methodology defined in EN ISO 16911 Part 1 (Annex E), as described in Section 6.6, and verified using the manual reference methods described in Part 1 of the standard using the approach defined in Part 2 of the standard.”

The new monitoring requirements will also be reviewed by NRW in the coming months as part of an Operator Monitoring Assessment (OMA). In regards to guidance on the OMA Process please find below a link to relevant guidance.

<https://www.gov.uk/government/collections/monitoring-emissions-to-air-land-and-water-mcerts>

EPR Compliance Assessment Report

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.