

Compliance Assessment Report

Report ID:
CAR_NRW0034703

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

Site	Pembroke Power Station	Permit Ref	DP3333TA			
Operator/Permit holder	RWE Generation UK plc					
Regime	Installations					
Date of assessment	20/02/2019	Time in	10:00	Out	16:00	
Assessment type	Audit					
Parts of the permit assessed	See Report					
Lead officer's name	Dunn, Karen					
Accompanied by						
Recipient's name/position	Ben Williams / Lead Environmental Engineer	Date issued	29/03/2019			

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
A1 - Specified by permit	A	
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	C3	1.1
E2 - Emissions - Land and groundwater	C3 - Suspended	3.1.1
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

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

O = Ongoing non-compliance, not scored.

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	4
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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

This was a pre-arranged routine audit and the company's representative present was:

Ben Williams – Lead Environmental Engineer

The following agenda was sent in advance:

Introductions and site update.

Actions from last audit – to include update on documentation of waste & water audit reviews and status of PEB/LP/ 'Inspection and maintenance on above ground vertical steel storage tanks & bulk storage installations';

Final pumping chamber improvements on sewage treatment plant;

Any actions following secondary meet on the annual reporting (e-mail/minutes).

Any updates concerning the improved efficiency on FRR and associated work.

Brief discussion on Reg 61 any updates status of emergency plant scoping submission.

Table S1.1 activities DAA – Schedule 1 AR7 – Water treatment plant.

Site tour to include water treatment.

AOB – foam reduction, bubble curtain, variation 'emergency start'.

Introductions and Overview

This routine audit began with a discussion on current activity at the station, an overview of work planned for 2019 and 2018/19 environmental objectives and targets. 2019 is expected to be a busy year at the station with major outages planned. A major outage or overhaul takes place at 36,000 Equivalent Operating Hours (EHO) which is usually around 12 months depending on the market and operations. The first 'C' inspections at Pembroke took place in 2015 which also saw a major upgrade. Since 2015 greater technical expertise required by the scheduled outages is available in-house, giving greater flexibility in scheduling of the inspections to meet operational demand. Considerable preparatory work has gone into the major outages on-going at the time of this visit. Two forced openings of turbines to address known technical maintenance issues are planned in interim or 'A' inspections are also due in 2019. Unit 31 was still 'under containment' due to the technical issues identified in the inspections involving the turbine vane honey combing. At the time of this visit the environment department was involved in an assessment for the forthcoming year in industry students, drawing on interest from across the UK. This is a fantastic opportunity for successful applicants to learn at the station and the environment department is very much involved with their placement. The last planned routine audit by NRW for 2018-19. The NRW South West Industry Regulation Team plan all routine audits of regulated installations, based on the financial year starting 1 April. This was also the first audit in 2019 therefore a brief recap on some previous visits.

Final pumping chamber improvements on sewage treatment plant

In 2018 the operator experienced a leak of treated effluent from the final chamber on the sewage treatment plant (STP). The investigation that followed identified an action plan involving a short and long-term fix. Initially the level in the final chamber dropped below a join in the concrete rings of the final chamber considered to be the pathway. For a long-term solution the final chamber was to be lined. Health and safety takes precedence at the station i.e. gas tests for entry and unforeseen circumstances concerning the contractor unfortunately caused a delay. During this delay the operator experienced another minor leak from the final chamber which NRW was made aware of. As an agreed action plan was in place the category 4 score incurred by the leak has been suspended and unless a further repeat incident occurs will not count against site compliance. According to the NRW Compliance Classification Scheme (CCS) scores can be suspended 'when an operator has proposed a reasonable action plan to achieve compliance voluntarily and we have this in writing'.

FULL CAR on the DMS:

EPR Compliance Assessment Report

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Operator/Permit holder	RWE Generation UK plc	Date	20/02/2019

Section 3 – Enforcement Response

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

Section 4 – Action(s)

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

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
E2	C3	Please see CAR. Action plan was in place for long-term fix involving lining of chamber. H&S took precedence for entry i.e. gas test delaying long term resolution. Now resolved.	01/04/2019
C2	C3	Operator to follow action plan to address non-compliance as e-mailed on 4/3/2019.	31/12/2019

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.