

Compliance Assessment Report

Report ID:
CAR_NRW0031714

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	05/06/2017	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Environmental Monitoring				
Lead officer's name	Dunn, Karen				
Accompanied by					
Recipient's name/position	Ben Williams / Lead Environmental Engineer	Date issued	06/06/2017		

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
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	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

Introduction

This Compliance Assessment Report (CAR) form includes a review of the 2016 annual performance report for the Pembroke Power Station submitted by RWE Generation UK plc. This annual reporting is required by the environmental permit for the installation. The CAR also includes a review of the monitoring report submissions for emissions to air and water that were made by the operator in 2016 and the first annual quarter of 2017 (Q4 financial year).

Annual Performance Review

On the 28 February 2017 the operator submitted their 2016 annual performance report on time and by the agreed 31 March 2017 deadline. The submission is required by condition 4.2.2 of the environmental permit and replicated below for ease of reference:

Environmental Permit Condition – 4.2 Reporting

- 4.2.2 A report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year. The report(s) shall include as a minimum:
- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data; and
 - (b) the annual production /treatment data set out in schedule 4 table S4.2; and
 - (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.
 - (d) where condition 2.3.5 applies the hours of operation in any year shall be reported to Natural Resources Wales.

NB/ NRW acknowledges that prior to the Industrial Emissions Directive (IED) Chapter III variation the operator had an annual reporting deadline for condition 4.2.2 of 31 March. The condition allows for another date to be agreed in writing by NRW. The 31 March deadline was agreed upon with the operator for 2017.

On review of the Annual Environmental Performance Report 2016 for the Pembroke Power Station it was found to be made in compliance with the requirements of the environmental permit. The report clearly demonstrates the efficiency of the power station through the achieved gaseous emissions figures etc. to air. The IED outlines the emission limit values (ELV's) defined at >70% and the Pembroke Power Station has been well within compliance throughout the period of review. The results of the emissions monitoring and subsequent reporting distinctly supports the position that the installation is the largest and most efficient power station in the UK.

Emissions and Monitoring

Section 3 entitled 'Emissions and Monitoring' in the environmental permit requires the operator to undertake monitoring as specified in Table S3.1 'Point Source Emissions to Air from Gas Turbines >100MWth'. The requirement to report this monitoring is outlined in section 4.2 of the environmental permit.

Quarterly Monitoring Returns Q1 2017 – Water 1 and IED CON2 (Gas Turbines)

Table S4.1 requires a 3 month reporting period for continuous monitoring of Oxides of Nitrogen NO_x (mg/m³) and Carbon Monoxide CO (mg/m³) and for emissions to water (W1). On 10 April 2017 the operator submitted Water 1 form for Q1 2017 and IED CON2 (Gas Turbines). On review the report was made on time and in accordance with the Environmental Permit. The report has been reviewed and found to have been made on time and in compliance with the environmental permit.

Conclusion

This CAR form includes a review of the Annual Environmental Performance Report for 2016 which was compiled to discharge reporting conditions in the Environmental Permit for the Pembroke Power Station. The NRW review of the operator's submission was found to be made on time and in compliance of the Environmental Permit. The report clearly outlines the emissions that are being achieved by the power station and demonstrates figures well within compliance of the limit values outlined by the Industrial Emissions Directive (IED). From the NRW review the operator has to date undertaken the monitoring as specified by the relevant permit conditions and reported that monitoring to NRW as required. All submissions in the review were found to be in compliance with the environmental permit.

AOB

For information:

Guidance for Pollution Prevention

A review plan for pollution prevention guidance (PPG) is currently underway. The review will result in a **replacement guidance series**, with new branding and title **"Guidance for Pollution Prevention" (GPPs)**. It is aimed that the new series will provide environmental good practice guidance for the whole UK, and environmental regulatory guidance directly to Northern Ireland, Scotland and Wales. For businesses in England, regulatory guidance is available from GOV.UK instead.

A full list of GPP's can be found on the NetRegs site using the following link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Water Framework Directive

For more information on water body status related to the Water framework Directive and their classification around Wales can be found using the following link:

<http://waterwatchwales.naturalresourceswales.gov.uk/en/>

[End]

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.

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.