

Compliance Assessment Report CAR_NRW0040089

Permit being assessed: AB3790ZB.

For: Barry Energy Production Facility, held by Biomass UK No. 2 Ltd

At: Woodham Rd, Barry, CF63 4JE.

Type of assessment carried out: Report/Data Review, Reason: Routine.
On 01/07/2022.

Parts of permit assessed: Monitoring Returns

NRW Lead Officer: Geraint Harris.

Report sent to: Chris Lewis, Site Manager on 01/07/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

No action required.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Biomass UK

EPR/AB3790ZB

NRW have received the responses to the actions stated within CAR Form 'CAR_NRW0039413'. The actions and the subsequent responses are as follows:

Action 1: Please provide evidence that the alarm system on the supply of compressed air has been completed. Due April 29th or prior to plant start up.

Biomass UK response: "There is an alarm that generates when there is an issue with the supply to turbo reverse jet panel (the air pulsing system)". A schematic of the air pulsing system was provided within the response to this action. "Prior to this incident the alarm was not visible in the main control room and was only visible at the local control panel, we have now ensured this alarm is visible and audible in the main control room".

This action is considered complete.

Action 2: Review the current arrangement to investigate whether a burst bag detection system can be installed within the baghouse. Due March 31st 2022.

Biomass UK response: "In this incident the emission was caused by mechanical failure resulting from the lack of air pulsing. The routine maintenance and replacement of bags as per the manufacturer's recommendations, will help ensure the prevention of a bag failure. We also have low differential pressure audible alarm across the filter to provide a warning of bag failure. We are assessing the feasibility for a particulate monitor on the outlet of the system which would also help indicate a failure of a bag although the failure of a bag would not cause the emission release witnessed in this incident".

The response has been accepted.

Action 3: Provide evidence that the management systems have been updated to include the monitoring and maintenance of all pollution prevention equipment including alarms. Due April 29th or prior to plant start up.

In response to this action a routine minimum once per shift walk round has been updated to contain more activities in checking the performance of the dust extraction system. An extract from the 'Daily Plant Check sheet' was also provided. According to Biomass UK "the failure of the air system would now be caught earlier, either immediately in the control room via the alarm or during the plant walk arounds".

NRW consider these three actions closed, but may require further actions in the future, if during a later audit, discover that further measures are needed to reduce the likelihood of another fugitive dust release occurring.

OPRA

Biomass UK were asked to review their OPRA profile as part of their submission for the Waste Incineration Bref permit review which is currently getting underway. This has now been completed and it was determined that the score is 161.

Air 1 report:

NRW received the quarterly report for Q1 (Jan-Mar) on 14th April 2022. Biomass UK No. 2 Ltd have not operated during this period therefore there are no monitoring results to review. As a consequence, Biomass UK haven't had enough consecutive days on which to perform QAL2 and AST testing therefore were unable to complete the Air_2 form.

Waste returns:

Q1 2022 waste returns were received on the 14th April 2022. All entries were compliant.

Q1 In - zero tonnes; Out – zero tonnes

END.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.