

## Compliance Assessment Report CAR\_NRW0040198

**Permit being assessed:** AB3092CV.

For: Parc Adfer Energy Recovery Facility, held by Enfinium Parc Adfer Operations Ltd

At: Weighbridge Road, Deeside Industrial Park, Deeside, Flintshire, CH5 2LL.

**Type of assessment carried out:** Report/Data Review, Reason: Routine.

On 01/08/2022.

Parts of permit assessed: Q2 monitoring returns

**NRW Lead Officer:** Rebecca Harwood.

**Report sent to:** Jamie Williams, Environmental Manager on 16/08/2022.

### 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)      |                  |
| G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment               | Assessed (A)      |                  |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | 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

Q2 2022 (April - June) monitoring results were submitted to NRW on 07 July 2022 in accordance with Condition 4.2.3.

### Air Emissions - Emission Point A1

Continuous air emissions monitoring (CEMS) was undertaken in accordance with Condition 3.5.1.

No Half Hourly or Daily Average ELVs for HCl (mg/Nm<sup>3</sup>), NH<sub>3</sub> (mg/Nm<sup>3</sup>), TOC (mg/Nm<sup>3</sup>), NO<sub>x</sub> (mg/Nm<sup>3</sup>), SO<sub>2</sub> (mg/Nm<sup>3</sup>), N<sub>2</sub>O (mg/Nm<sup>3</sup>) and Particulates were exceeded during Q2 in accordance with Condition 3.1.2.

Emissions to air (Emission Point A1) for CO (mg/Nm<sup>3</sup>) show no 10 minute (ELV 95th percentile) or Daily Average ELV exceedances in accordance with Condition 3.1.2.

Stack emissions monitoring was undertaken in accordance with Condition 3.5.1 during April 2022. All results were below the ELVs.

A QAL 2 stack emissions survey was also completed in April. The site were informed of the calibration factors on 07/06/2022 and stated these would be inputted into the system during the June outage. The test house could not derive a valid calibration function for particulates on both analysers (duty and standby) due to the extremely low dust levels present within the flue gas. The Operator has stated that they will therefore continue to utilise the particulate CEMS as indicative monitors as previously agreed with NRW.

### Residues

Bottom Ash and APC residues sampling was undertaken in accordance with Condition 3.5.1. Bottom Ash composition for Q2 remained below the 3% TOC limit at 0.5% in accordance with Condition 3.1.

### Performance

Operating hours year to date - 3740 hours were recorded with no periods of abnormal operations.

A planned shutdown / outage took place between the 12 and 24 June 2022.

### Waste Returns

Waste returns were received in accordance with Condition 4.2.5.

Waste Received Q2 – 41,254 tonnes

Waste Removed Q2 – 10,192 tonnes

### Schedule notifications

A Part A Schedule 5 Notification was received on 21 March 2022 relating to a boiler tube failure which resulted in the boiler tripping and the expansion flap on the boiler roof

opening. The Part B was submitted on 28 March 2022 and confirmed the tube leak had caused high pressure steam which activated the expansion flap. There were no ELV exceedances during this period. The boiler was subsequently offline for 3 days whilst the tube was replaced. No further actions are required following the Operators internal investigations.

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](mailto: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](mailto: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.