

## Compliance Assessment Report CAR\_NRW0040074

**Permit being assessed:** AB3093CA.

For: Tremorfa Anaerobic Digestion Facility, held by Welsh Water Organic Energy (Cardiff) Limited

At: Tide Fields Road, Tremorfa, Cardiff, CF24 5SB.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 10/08/2022 between 10:30 and 12:00.

Parts of permit assessed: Variation & Incident review

**NRW Lead Officer:** Lewis Evans.

**Report sent to:** Siobhan O'Leary-Johns, Business Manager on 09/09/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	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

On the 10<sup>th</sup> of August 2022, Lewis Evans of Natural Resources Wales (NRW) visited Welsh Water Organic Energy Limited (WWOE) site Tremorfa Anaerobic Digestion

facility.

The visit's agenda was to review the incident that occurred on site on the 10<sup>th</sup> of June and to discuss the upcoming variation that has been submitted to NRW. This CAR will also incorporate the completion of the improvement conditions that were incorporated into the permit following the Waste Treatment BREF.

### Variation

WWOE submitted the variation application to NRW on the 30<sup>th</sup> of June 2022. The variation application is for the following changes –

- **An addition of a Biogas Boiler** – to be used as a backup when the Combined Heat & Power (CHP) engines cannot be used, either due to being offline for servicing/maintenance or in the event of a breakdown. The Boilers will act as an additional protection layer instead of the need to flare or release gas. The boiler has been transferred from another Dwr Cymru Welsh Water (DCWW) site and has been positioned on site but has not been operational. The boiler will only be used when the main CHP is offline and therefore will be limited to running for a maximum of 500hours per year. A full air dispersion modelling assessment has been completed and submitted with the application.
- **A liquid waste storage tank** – this is for the liquid waste to be used for moisture and mixing of the food waste prior to entering the anaerobic digestion process. The liquid tank has not been constructed/installed at the time of the application submission as the exact location is yet to be determined by the site. The Anaerobic Digestion process requires moisture and for the food waste to be mixed into a slurry so that it can easily be transferred and broken down within the process for treatment. Currently the moisture is supplemented by potable water. Using liquid waste will in the first case reduce and minimise the use of potable water while also contributing to the gas yield of the plant. The

tank will be fully enclosed. An additional waste code will be added to the permit to future proof waste acceptance onto site. During determination the permitting officer will assess on how exactly the tables in Schedule 2 will look.

- **Update & correct the emission points location and identification to sewer.**
  - The current table S3.2 point source emissions to sewer and monitoring requirements, in the permit is incorrect. It was agreed during the permit BREF review that the table would be updated during the permit variation, and we would provide the correct details of emission points to surface water and sewer.
- **Update the site plan** – As requested during the BREF permit review, the site layout plan has been updated. The plan includes the location of the biogas boiler on site as well as the corrected and updated point source emissions to surface water sewer and foul sewer, referenced S1 and S2.

As mentioned on the visit, there is still a large queue with permitting and it is estimated that the application will take between 3 and 4 months before it will be allocated to an officer. Ongoing communications via email will continue with the site to keep them updated on the allocation of the application.

### Incident

Following from the CAR\_NRW0040134 that was sent to WWOE on 18<sup>th</sup> July 2022, part of the visit was to discuss and understand further the cause of the gas release. A walk round was done of the site and the spare temperature probe was shown as the site now holds this equipment in case there is an issue with the one that is in use. There were no actions for the site to complete in CAR\_NRW0040134.

### Waste Treatment BREF (WT Bref) Improvement Conditions

Following the implementation of the WT Bref, the site had improvement conditions

placed in the permit in Table S1.3 Improvement programme requirements. This consisted of the five improvement conditions (IC's):

1. A screening & assessment considering channelled emissions to air from the biofilter (open and closed biofilters), and confirm if sources are within 250m of a sensitive receptor in accordance with 'M9: environmental monitoring of bioaerosols at regulated facilities'. Date Due: 3 months following permit issue.
2. IC2 was to complete a Site Specific Bioaerosol Risk Assessment (SSBRA) as a result of IC1. Date Due: 9 months following permit issue.
3. IC3 was for the site to demonstrate their compliance with the relevant best available techniques (BAT). Date Due: 17<sup>th</sup> February 2022.
4. IC4 was to complete a Phase 1 screening test report for priority hazard pollutants and any other relevant priority hazardous substances discharged to sewer. Date Due: 17<sup>th</sup> February 2022.
5. IC5 was to submit an updated site boundary and layout plan, clearly showing all emission points from the site. Date Due: 17<sup>th</sup> February 2022.

WWOE submitted all the information within the timescales as set out in the permit. IC2 was required as per the M9: Environmental Monitoring of bioaerosols at regulated facilities guidance, there were nearby sensitive receptors with 250m of the site.

IC3 – All of the initial information was submitted to NRW within the timescale as set out in the permit. However, additional information for BAT 6, 14 and 38 was requested via email on the 3<sup>rd</sup> of May 2022. NRW received the additional information on the 9<sup>th</sup> of May 2022 and was deemed acceptable.

IC4 – WWOE submitted a Phase 1 screening test report for priority hazardous pollutants, however further information was requested and a H1 will be submitted in the near future and will be assessed prior to being accepted and deemed complete.

IC5 – An updated site boundary and layout plan was submitted to NRW and will be

incorporated into the variation application in due course.

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](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.