

Compliance Assessment Report CAR_NRW0040105

Permit being assessed: AB3191FR.

For: Parc Stormy Anaerobic Digestion Facility, held by Severn Trent Green Power (Bridgend) Limited

At: Stormy Down, Porthcawl, Bridgend, Mid Glamorgan, CF33 4RS.

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

On 21/09/2022.

Parts of permit assessed: Activities

NRW Lead Officer: Mostyn Wall.

Report sent to: Maria Priestley, Permits and Accreditation Officer on 21/09/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B5 - Infrastructure - Plant and equipment	Action only (X)	
C2 - General Management - Management system and operating procedures	C4 No impact	1.1 General Management
C2 - General Management - Management system and operating procedures	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
1	0.1

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?

Criteria	Action needed	Complete by
B5	STGP to install a system to monitor fan performance. This would demonstrate that the best available techniques are being used at the site (BAT) and to ensure that fan performance can be monitored and that any defects in the fans can be identified and replaced or repaired.	30/11/2022
C2	Site to update the AQD 018a investigation form to include details of the inspections made during the investigation and the findings. Site to document steps and evidence of inspection of the tank, roof membrane, jam tube, u-profil and fans.	01/11/2022
C2	For all EMS document: STGP to update the contact phone number for the NRW incident hotline. The correct number to report an incident or to contact NRW is 0300 065 3000.	30/11/2022

Action criteria codes are listed in the 'Important information' section below.

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

Review of the roof incident and STGP response to CAR form

Severn Trent Green Power (STGP) sent a response to the actions in the compliance assessment report, CAR_NRW0039614 dated the 30th March. The CAR form required STGP to report on the root cause of the roof loss incident that occurred on the 18.02.2022 and to complete the incident reporting and investigation form AQD 018a outlined in the sites EMS.

STGP considered the root cause of the roof loss to be the exceptionally turbulent weather.

NRW received a copy of the investigation form, AQD 018a on the 31.05.22. The form, AQD 018a, details the investigation of the roof loss incident as required as part of the EMS and was dated the 27/4/22. The investigation form includes a timeline of the event, the actions taken on the day of the incident and a root cause analysis.

Root cause analysis

STGP use a 5 why's approach to establish the root causes of an incident. The investigation form states that "it is essential that you do not jump to conclusions". The STGP root cause analysis states that no defects were identified prior to the incident, that no maintenance was required and that the roof fans were operational. STGP state **"the root cause of the roof detachment being the Wind speeds, direction and length of time that the site experienced these conditions"**.

No information was provided in the AQD 018a investigation form detailing post incident inspections or investigation of the roof structure, roof membrane, tank integrity, sealing mechanism of the roof (jam tube and u-profil) or the roof fans.

Investigation of these components of the digester tank and roof could lead to the root cause of the roof loss. It is true that the high winds detached the roof but was it a tear in the roof fabric, a faulty u-profil on the tank or jam tube that resulted in the roof failing in the high winds? Further investigation and details are required in the AQD 018a investigation form. STGP have not followed their own guidelines and not used the 5 whys approach to the investigation. Detail is important as the investigation has an impact on future risk assessments, changes to the sites EMS, maintenance and prevention of future incidents.

Roof Fans

In the AQD 018a investigation form STGP outlined an action plan. This includes the fitting of a new roof and upgrading the roof fans to stainless steel fan blades.

No mention of the roof fans was made in the AQD 018a investigation form or their role in the tank roof

integrity.

The roof fans play an important role as they pump air into the space between the gas membrane and the external roof. The pumps ensure the shape of the roof is maintained. Any loss of roof shape caused by fan failure or a reduction in performance may result in a situation where high winds could deform the roof and may lead to detachment. STGP has not investigated the role of the roof fans in their AQD 018a investigation.

A NRW teams video meeting on the 1st July discussed the AQD 018a investigation and root cause analysis with STGP. Present from STGP were Nicky Kerridge, Maria Priestley, Sarah Ross, Neil Pollington and Rob Williams. STGP verbally confirmed that they investigated the tank components for failure as part of the investigation and no defects were found. STGP confirmed that the roof fans were inspected after the incident. The original roof fans were made from mild steel and STGP found the fans to be corroded due to the maritime conditions at the site. Fan corrosion can significantly impact fan performance and therefore roof shape of the tank. Fans are inspected as part of the daily checks but the inspection for internal fan corrosion and condition were not part of the maintenance schedule. No photographic record of the corroded fans were kept for future reference or experience transfer.

NRW questioned STGP in the meeting the response from the tank manufacture Baur. Baur responded to STGP that the tanks were constructed to the highest levels of tolerance. The standards used for construction were not identified.

STGP stated in the meeting that new information came to light since the AQD 018a investigation form was completed. Any new information should have been added to the AQD 018a investigation form and communicated to NRW. Importantly, the AQD 018a investigation should not be published before an investigation had been fully completed.

Non-Compliances

Incomplete investigation of root cause of the roof loss is a Category 4 score.

The site has completed a full-scale root causes analysis of the incident. Details of the post incident inspection was not included in the AQD 018a investigation form. NRW considers this to be a Category 4 score as STGP had not followed their own investigation process as outlined in the AQD 018a investigation form and not completed a full root cause analysis. The incomplete investigation could lead to improvements not being made to the installation and the sites EMS that could result in further negative environmental effects.

Actions

Action: Site to update the AQD 018a investigation form to include details of the inspections made during the investigation and the findings. Site to document steps and evidence of inspection of the tank, roof membrane, jam tube, u-profil and fans. The findings of your investigation should be communicated across STGP to learn from the incident.

Action: STGP to install a system to monitor fan performance. This would demonstrate that the best available techniques are being used at the site (BAT) and to ensure that fan performance can be monitored and that any defects in the fans can be identified and replaced or repaired.

Action: For all EMS document: STGP to update the contact phone number for the NRW incident hotline. The correct number to report an incident or to contact NRW is 0300 065 3000.

--

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.