

Compliance Assessment Report CAR_NRW0040506

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 18/10/2022.

Parts of permit assessed: Q3 Returns Review & Schedule 5 Notifications

NRW Lead Officer: Victoria Griffin.

Report sent to: Jamie Williams, Environmental Manager on 18/10/2022.

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

Q3 2022 (July -September) monitoring results were submitted to NRW on 06 October 2022 in accordance with Condition 4.2.3.

1 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 Environmental Limit Values (ELVs) for Hydrogen Chloride, Ammonia, Total Organic Carbon, Oxides of Nitrogen, Sulphur Dioxide and Particulates were exceeded during Q3 in accordance with Condition 3.1.2.
- Air A1 Daily Average for 7th and 8th August reported as non-applicable, with the plant being offline for more than 2.5hours each day due to a blockage of the ash discharger.
- Emissions to air (Emission Point A1) for Carbon Monoxide 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 August 2022. All results were below the ELVs.
- Residues Bottom Ash and Air Pollution Control residues sampling was undertaken in accordance with Condition 3.5.1. Bottom Ash composition for Q3 remained below the 3% TOC limit at 0.7% in accordance with Condition 3.1.

Plant operating hours year to date – 5,925 hours were recorded with no periods of abnormal operations.

2 Waste Returns

Waste returns were received in accordance with Condition 4.2.5.

- Waste Received Q3 – 53,115 tonnes
- Waste Removed Q3 – 13,145 tonnes

3 Schedule notifications

Part A Schedule 5 Notification was received on 8 July 2022 relating to intermittent communication disturbances (data loss) between CEMS analysers and the data acquisition handling software. This caused a technically invalid 30minute data period on 7 July 2022 19:30 – 20:00. CEMS data and plant performance trends during this half hour period demonstrate that no environmental incident occurred.

The Part B was submitted on 4 August 2022 confirming the above fault. A PC was replaced on 1 August 2022 and further investigations are ongoing. The missing raw data, except for particulates, from the analyser was entered manually in August 2022.

No further actions are required following the Operators internal investigation.

A second Part A Schedule 5 Notification was received on 19 July 2022 relating to high ambient temperatures activating a hydrogen leak sensor. This shut off the gas supply to the monitoring equipment resulting in a loss of TOC data between 14:30 and 14:59 on the

18 July 2022. Supporting emissions monitoring data and plant operational conditions indicated no environmental incident had occurred.

The Part B was submitted on 4 August 2022 and confirmed the hydrogen detector was within its calibration date at the time and had worked as it should. Leak checks during the replacement of the hydrogen cylinder (21/07/22) did not identify any elevated hydrogen levels. The fixed hydrogen detector had not displayed any elevated readings since. A specialist sunshield has been ordered to reduce the internal temperature of the transmitter.

No further actions are currently required following the Operators internal investigation.

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.