

Compliance Assessment Report

Report ID:
CAR_NRW0034135

This form will report compliance with your permit as determined by an NRW officer

Site	Severn Power Station	Permit Ref	HP3737UE		
Operator/Permit holder	Siemens plc				
Regime	Installations				
Date of assessment	31/10/2018	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Monitoring				
Lead officer's name	Griffiths, Toby				
Accompanied by					
Recipient's name/position	Huw Edwards/ EHS Manager	Date issued	31/10/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

NOx Converter Efficiency, 2017

Further to the Annual Surveillance Test (AST) for 2017 and the comments received from the monitoring contractor Socotec on 24th October 2018, NRW makes the following comments:

In this instance NRW accepts the submitted NOx converter efficiency providing the ongoing QAL3 does not indicate analyser bias. The ~93% efficiency is considered broadly acceptable, given the allowed uncertainties of the calibration gas.

However, it is important to note the following for future reference. If the consultant is undertaking an AST in accordance with BS EN 14181 and TGN M20, they should be aware of the functional test results (which should be completed prior to any parallel testing) prior to undertaking any work to ensure that the CEM is working correctly. If a QAL3 indicates that the CEM is consistently reading under or over the target value, then this is indicative of bias and not the natural fluctuation above and below the target value that can be seen in QAL3's of correctly functioning CEMs which are due to uncertainty factors. In the case of bias, we would expect the CEMs service provider to determine the source of bias and correct accordingly.

If the observation made by the test house that the CEM was under-reading span values prior to converter efficiency testing was not the result of bias (and ongoing QAL3 indicated that positive and negative fluctuations around the span value were within uncertainty limits), what evidence was available to them that an "estimated correction" based on a span reading carried out prior to the converter test would still be applicable?

Any bias should be resolved prior to NOx converter testing (and indeed any parallel testing), particularly when the converter test procedure only requires comparison of the analyser reading to the gas cylinder certified concentration. NRW would not be inclined to accept future test results where the actual readings had been adjusted by an "estimated amount" because the analyser was observed to be reading a few mg/m³ under the span gas value.

In future, NRW would expect any discrepancy between CEMs and span gas readings that indicated bias or were outside QAL3 warning limits to be resolved prior to any testing. It may also be worth confirming whether the same correction applied to the NOx converter test results for the observed "under-read" was also made to the parallel tests used to test the ongoing validity of the QAL2 calibration function.

The AST for 2018 shows that the NOx converter efficiency is now above the 95% threshold. Subject to the above comments, NRW is satisfied that the monitoring arrangements are compliant.

END

EPR Compliance Assessment Report

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.