

Compliance Assessment Report CAR_NRW0040902

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: Site Inspection, Reason: Incident Response (Incident number 2208870).

On 05/01/2023 between 12:00 and 13:00.

Parts of permit assessed: 3.3 Odour

NRW Lead Officer: Mostyn Wall.

Report sent to: Nicky Kerridge , QEHS Director on 06/01/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
F1 - Amenity - Odour	C3 Minor	3.3
C2 - General Management - Management system and operating procedures	Action only (X)	
B5 - Infrastructure - Plant and equipment	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	4

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
F1	Immediately investigate the observed odour using leak detection and repairs methods (BAT 14) to check that the installation is not leaking biogas. Conduct an Optical Gas Imaging Survey of the installation. Check the gas engines for methane slippage	13/01/2023
C2	Expand the daily odour survey to include the road leading to the adjacent properties and outer perimeter fence. Ensure a downwind check is taken outside the permit boundary.	09/01/2023
B5	Site to send details of how the site meets BAT 14 part h, leak detection and repair. In the document submitted as part of the WT Bref process (BAT Assessment review STGP Final) states that "leak detection system which is fitted to all tanks enabling site operatives to assess whether tanks are	13/01/2023

Criteria	Action needed	Complete by
	beginning to leak". The site to send information on the leak detection system fitted to all the tanks.	

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

Parc Stormy visit 5.1.23

NRW recently received several odour complaints from properties situated close to the Severn Trent Green Power (STGP) AD installation. Mostyn Wall visited the local area to investigate the odour complaints. A south-westerly wind was present on the 5.1.2023 with wind speeds estimated to be 8-10 m/s.

A faint odour was substantiated on the W-E orientated road to the N of the installation, 300m to the east of the site entrance. The odour can be described as a sweet, gassy type smell. The odour was identified directly downwind of the STGP AD digester tanks.

Mostyn Wall called into the STGP site office to alert the operations manager of the odour. A walk around the outside of the site perimeter fence was undertaken with the operations manager to establish if the odour could be substantiated outside the permit boundary. At the NE corner of the site boundary, directly downwind of the digester tanks a very strong gassy smell was substantiated. The odour had the same smell as what was found on the road close to the residential houses but at a much stronger concentration. The odour was constant from the NE corner to the eastern side of the site boundary, directly downwind of the installation. On returning to the site office the operations manager instructed staff to undertake a check of the digester tanks and to undertake another odour check.

The odour observed is a potential leak of biogas from the installation. This is a significant safety and environmental risk for the local environment and the workers of STGP. NRW have informed HSE of the odour and potential biogas leak.

Non-compliance

A non-compliance is given due to the observed odour detected beyond the installation boundary and is perceived to be at a level that causes pollution. This is a breach under permit condition 3.3. It is an offence under Regulation 38(2) of the Environmental

Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit.

On this occasion this non-compliance has been categorised as CCS3 Minor. However, If the odour issues are not resolved and continue to be ongoing in the future, the non-compliance score will be increased to a category 2 or 1 non-compliance.

Actions:

- Immediately investigate the observed odour using leak detection and repairs methods (BAT 14) to check that the installation is not leaking biogas. Conduct an Optical Gas Imaging Survey of the installation.
- Check the gas engines for methane slippage
- Expand the daily odour survey to include the road leading to the adjacent properties and outer perimeter fence. Ensure a downwind check is taken outside the permit boundary.
- Site to send details of how the site meets BAT 14 part h, leak detection and repair. In the document submitted as part of the WT Bref process (BAT Assessment review STGP Final) states that *“leak detection system which is fitted to all tanks enabling site operatives to assess whether tanks are beginning to leak”*. The site to send information on the leak detection system fitted to all the tanks.

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 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.