

Compliance Assessment Report

Report ID:
CAR_NRW0034991

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

Site	Barry Power Station EPR/JP3333LV	Permit Ref	JP3333LV		
Operator/Permit holder	Centrica Barry Ltd				
Regime	Installations				
Date of assessment	12/04/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	As detailed				
Lead officer's name	Griffiths, Toby				
Accompanied by					
Recipient's name/position	Andrew Martinson/ Environmental Engineer	Date issued	12/04/2019		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	X	
B2 - Infrastructure - Closure and decommissioning	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

Permit Surrender Process

During the site visit of 3rd April, Centrica requested that NRW consider accepting a low risk permit surrender. NRW makes the following comments:

Summary of 2007 Reference Data			
TPH Results*	Odour	Soil mg/kg	Groundwater mg/l
BH2A	-	42	-
BH4B	-	72	-
BH5	-	20	-
BH6	-	17	-
BH7	Hydrocarbon odour	1100	0.26
BH9	-	5.7	-
BH12	Hydrocarbon odour	2200	-
BH13	Hydrocarbon odour	1200	-

*These are the max values at any given depth.

The First Phase Reporting of the SPMP in 2007 provided reference data which identified 3 boreholes with elevated TPH in the soil samples (and some in groundwater at BH7). These were reported to be associated with the emergency diesel generator (BH7) and the gas compressors (BH12 & BH13). The data collected provided the agreed baseline conditions for the site at the point of permit issue. This query is concerned with whether any further contamination occurred at these 3 points in the time since the above results were collected.

In consideration of a low risk surrender, NRW needs to be satisfied that the risk of pollution has been minimised during the life of the permit. The infrastructure monitoring of the SPMP appears to have achieved this for most of the site. For the remaining 3 boreholes, NRW requests Centrica provides details of the measures which were put in place to prevent further contamination of TPH. The points are clarified below:

Emergency Diesel generator

Within the response for Improvement Condition IC3, various checks and procedures related to fuel delivery in this area were proposed. More widely, the SPMP reviews recommended CCTV/internal inspections of underground pipework/services. This is particularly relevant to the oily water drain system. The initial SPMP suggested that "*internal inspections*" would be completed at 3 yearly intervals, yet the 2015 review indicated that no CCTV surveys had been done since 2007.

1. Please could you clarify the likely cause of the original TPH contamination from this area. E.g. spills or run off / leaks and confirm what arrangements were put in place to prevent further contamination in the area of BH7.
2. In the 2015 SPMP review, the consultant recommended that regular inspections of the drains

were carried out. Have any further CCTV or other internal surveys been carried out since 2007? If not, on what basis was this decided?

Gas compressors (BH12 & BH13)

The response for Improvement Condition IC3 (and SPMP) proposed to install some kerbing in this area to prevent run-off of potentially contaminated liquids.

3. Please can you confirm whether the kerbing was completed, including whether there any other measures needed.

2015 SPMP review

The 2015 review recommended three improvements to the infrastructure monitoring programme:

4. Transformer cooling oil leaks. It is understood that these were successfully repaired in August 2015. Please confirm whether the oil was fully contained during the leaks, and whether any escape to ground was likely.

5. Bulk caustic tank inspections. The consultant recommended alternative arrangements for the integrity checks. Were these implemented?

6. CCTV drain surveys. Point 2 above.

Please respond to the above queries by **30th April 2019**.

EPR Compliance Assessment Report

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Operator/Permit holder	Centrica Barry Ltd	Date	12/04/2019

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
B1	X	Please respond to the 6 queries by 30th April 2019	30/04/2019

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.