

Compliance Assessment Report CAR_NRW0042038

Permit being assessed: HB3935AE.

For: Pancross A D Plant, **held by:** Vale Bio - Energy Ltd

At: Llancarfan, Barry, South Glamorgan, CF62 3AJ.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 27/06/2023 between 11:00 and 12:00.

Parts of permit assessed: Permit.

NRW Lead Officer: Mostyn Wall.

Report sent to: Christopher Hanks, Site Manager, on 28/06/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2A - Operations - Permitted activities	Action only (X)	

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

Total 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?

Criteria	Action needed	Complete by
IR2A	Undertake the improvement conditions as detailed in the standard rules permit. Report back to NRW progress of the inspection and BAT review by 31/8/2023	31/08/2023

Compliance 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

Mostyn Wall visited Chris Hanks at Pancross Farm to discuss Vale Energies new Standard Rules Permit for the on farm anaerobic digestion facility.

Mostyn Wall discussed the new permit and the requirements. NRW highlighted the new permit requires reporting requirements detailed in table 4.2. of the permit.

The AD plant it is required as an existing operating facility to undertake an inspection to assess its compliance with the best available techniques (BAT) conclusions and BAT Associated Emissions Limits (AEL) that are laid out in the Best Available Techniques Reference Document (BREF) for Waste Treatment; Industrial Emission Directive 2010/75/EU) Integrated pollution Prevention and control) 2018. Chapter 6 stipulates the BAT conclusions for waste operations in general, and specifically for biological treatment of waste

Action. Undertake the improvement conditions as detailed in the standard rules permit. Report back to NRW progress of the inspection and BAT review by 31/8/2023.

Improvement conditions to be completed.

Operators of existing facilities (permits issued before 20 December 2021) shall:

1. Undertake an inspection and works programme to ensure that all primary and secondary containment is fit for purpose and shall include:

(a) an assessment and inspection of all primary containment, using a Written Scheme of Examination devised and undertaken by an appropriately qualified certified engineer

(b) an assessment and inspection of all secondary containment against the standards set out in CIRIA 736 by a chartered structural engineer

(c) written reports of the findings of a) and b) (improvement condition 1) shall be submitted to Natural Resources Wales.

Where the reports do not demonstrate that critical primary and secondary containment is fit for purpose, the reports shall contain detailed proposals to bring the containment up to the required standards including timescales for the implementation of individual measures ('the measures'), or shall propose alternative appropriate measures to ensure all polluting materials will be contained on site

(d) where it contains proposals for works, the report recommendations shall be implemented by the operator in accordance with Natural Resources Wales's written approval

2. Produce and submit a schedule of planned improvement and maintenance as identified

by a HAZOP or risk assessment and, or suppliers.

3. Submit to the Natural Resources Wales a register of all combustion plant on-site in the format detailed in Appendix A to these rules.

4. Operators at existing facilities shall submit a report setting out progress to achieving the BAT conclusions and BAT-AEL's where BAT is currently not achieved but will be achieved.

The report shall include, but not be limited to, the following:

- (a) current performance against the BAT conclusions and BAT-AEL
- (b) associated targets and timelines for reaching compliance

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.