

Compliance Assessment Report

Report ID:
CAR_NRW0035250

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

Site	Aberthaw Power Station	Permit Ref	RP3133LD			
Operator/Permit holder	RWE Generation UK plc					
Regime	Installations					
Date of assessment	10/04/2019	Time in	10:00	Out	13:00	
Assessment type	Report/Data Review					
Parts of the permit assessed	Abatement, monitoring, emissions					
Lead officer's name	Leakey, Antony					
Accompanied by						
Recipient's name/position	Richard Powell/ Station Chemist	Date issued	17/06/2019			

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
B5 - Infrastructure - Plant and equipment	C3	1.1.1
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Report review and Site Visit - 10 April 2019

Oil interceptor inspection and cleaning

Maintenance check criteria for planned maintenance activity on the oil mop assemblies have been produced although the level of detail included seems limited, e.g. how should the scrapers be adjusted, what level of polymer belt damage is acceptable?

ACTION: RWE to provide an update at next site inspection.

Boiler House Panel Replacement

Panel replacement is in progress and a noise measurement report will be submitted following measurements during winter 19/20.

LCP Bref

Proposals for FGD water emissions monitoring were discussed. A revised document is required, in particular addressing representative sample location, transparency of compliance assessment, daily compliance assessment and maintenance of equivalent protection to current monthly average composite samples, sampling container compatibility and sample preservation. This update is required by 31 August 2019.

Dust abatement breakdown

A report summarising the investigation findings has been submitted (10 April 2019). Local procedures have been updated to reflect the reduced running regime and refresher training is to be carried out on management of dust emissions. Provision of audible alarms is proposed, and a dust emissions predictor software tool is to be investigated.

It is noted that as well as blocked sulphur pipework, ESP defects also contributed to the dust issues. This further supports the need previously identified for a review of ESP optimisation and refurbishment needs.

ACTION: RWE to provide an update at next site meeting.

Unit 9 start-up & shut down threshold

Unit 9 SU/SD will operate with a 295 MWgen SU/SD minimum threshold load and corresponding Stable Export Limit (SEL) following a successful trial period during the winter. The revised permit will be modified to reflect this change.

Procal CEM low NOx range calibration function error

A review of the process historian data compared to the reported data using the incorrect calibration functions confirms that monthly averages differ by 5% at the most. Therefore, no re-issue of reported data is necessary.

QAL/AST/Periodic testing review

The running regime has been sufficient to allow most CEM QA testing to be completed with limited issues arising. The U8 dust AST failure will be addressed by a QAL2 scheduled for Q1 20 during proving runs. U9 flow QAL2 will be scheduled for the end of 2019.

Improvement Programme IC41 update

The commissioning report is noted.

PFA analysis data are not provided to justify the conclusion that the landfill source term has not changed. In particular, while physical parameters may not have changed, have leachability and leachate composition changed significantly?

The reduced carbon-in-ash levels are significant. Are there any implications expected for mercury removal rate in the PFA as a result and does this affect the adoption of periodic monitoring of mercury under the Bref or require use of revised retention factors when calculating coal mercury thresholds?

The FGD performance review does not consider coal sulphur content variation. Can RWE provide evidence that abatement efficiency is comparable?

It is noted that NO_x emissions and combustion performance optimisation have yet to be fully achieved due to continuing limited operations.

Clearly operational variability will affect unit performance; however, the optimised plant is expected to achieve BAT AELs for the relevant technology on a unit basis. Thus, the upgraded Unit 9 should be capable of achieving a daily average emission level of around 340 mg NO_x/m³ associated with low load factor plants without SCR/SNCR. Units 7 and 8 will not have the same capability but might be expected to achieve better than the minimum standard of 495 mg NO_x/m³ as a daily average when optimised for intermittent operations.

NRW proposes to extend to the response date for IC41 pending further operational experience to provide clarification of these issues. The response date will be determined during the ongoing permit review process.

Emissions review

The station has continued with limited operations, although some improvements to fuel handling have been achieved and more are planned. All emissions are in compliance with the permit limits with the exception of the result below.

A slightly high ammonia result in the CW discharge will have no significant impact and potential for impact is likely to be limited, as the cause is understood to be from passing boiler drain valves during the preservation period. A Schedule 5 notification is appropriate and should be provided without delay.

This is not the first time this has occurred, and action must be taken to reduce the leakage rate or otherwise mitigate the issue. Please provide an update on this aspect.

Failure to maintain the boiler drain valves in leak-free working order is a minor category 3 breach of permit condition 1.1.1 because the potential for significant impact is limited.

ACTION: RWE to provide an update by 31 August 2019.

END

EPR Compliance Assessment Report

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Operator/Permit holder	RWE Generation UK plc	Date	10/04/2019

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
B5	C3	Reduce the leakage rate or otherwise mitigate the issue.	31/08/2019

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.