

Compliance Assessment Report

Report ID:
CAR_NRW0035696

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 | 30/07/2019 | Time in | 10:00 | Out | 15:00 | |
| Assessment type | Audit | | | | | |
| Parts of the permit assessed | Emissions, abatement and monitoring | | | | | |
| Lead officer's name | Leakey, Antony | | | | | |
| Accompanied by | | | | | | |
| Recipient's name/position | Richard Powell/ Station Chemist | Date issued | 19/09/2019 | | | |

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 | A | |
| C2 - General Management - Management system and operating procedures | C3 | 1.1.1 |
| E1 - Emissions - Air | A | |
| E2 - Emissions - Land and groundwater | A | |
| E3 - Emissions - Surface water | A | |
| G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment | A | |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | 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 |
|------------------------------------|----------|---|----------|

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 - 30 July 2019

Oil interceptor inspection and cleaning

The level of detail for planned maintenance activity on the oil mop assemblies is considered to be sufficient by RWE as the mop will generally not deteriorate significantly before scheduled replacement. Back up continuous conductivity, pH and oil in water monitoring is planned for installation into the surface water drain system outlet into the interceptor chamber downstream of the oil mop. These monitoring arrangements are considered to be appropriate protection for the surface water discharge system, particularly when diluting CW flows are not available.

ACTION: RWE to provide an update on installation programme and progress by 31 December 2019.

LCP Bref and permit surrender

Further work on the LCP Bref permit review has been suspended in light of the announced closure of the station by 31 March 2020. However, NRW is reviewing the need to vary the permit before the end of the TNP if a surrender application has not been received at that point. The need to continue with the permit review will depend on timing of notification to close submission under the TNP and surrender application and determination.

There are potentially circumstances where there may be a need to continue with the permit review until closure timetable is fully established.

Therefore, the response to the further information requested for 31/8/19 is deferred until the end of November 2019 and then review taking into account the surrender application timetable.

IED soil and groundwater surveys should be deferred as RWE will need to undertake surveys for surrender once decommissioning and some demolition has taken place. The next biota survey (IC21) will need to be undertaken and may be an ongoing requirement to demonstrate that levels are returning to pre-FGD background or if remediation is required. Timing of the next survey needs to be considered in the context of operation and time elapsed since the last survey and may result in delays in determination of a surrender application.

Dust abatement breakdown

A further malfunction of flue gas conditioning plant has occurred during shakedown operation of unit 7 resulting in a high daily average dust emission concentration of 40.43 mg/m³.

It is noted that blocked sulphur pipework was the primary cause again. Steps must be taken to ensure that appropriate tests and checks are undertaken to demonstrate that flue gas conditioning plant is available prior to start-up of a unit to prevent a recurrence. The malfunction and breakdown provisions in the permit do not currently need to be employed to allow reporting of a compliant annual 95th percentile of daily averages or monthly average. However, the failure to maintain the flue gas conditioning plant in good order constitutes a further breach of permit condition 1.1.1. This is a low impact category 3 non-compliance because of the limited potential for significant effects

upon air quality.

ACTION: RWE to provide an update on flue gas conditioning plant pre-start-up checks and tests or other measures that have been implemented to prevent a recurrence of the malfunction by 15 October 2019.

Improvement Programme IC41

NRW has extended the response date for IC41 pending submission of a surrender application.

Total hydrocarbon analysis

Provision of hydrocarbon analysis by the Environment Agency National Laboratory Service has been interrupted due to sub-contractor changes. RWE proposes to use online monitoring to provide assurance that discharges are within limits. Short-term the proposed approach is acceptable, although any high continuous oil in water or TOC data must trigger retention of a sample for full hydrocarbon analysis elsewhere.

The Environment Agency NLS are looking to establish an alternative sub-contractor for the analysis by the end of September, so it may be possible to resume HC reporting before the station closes.

Water emissions composite sampling

Some composite samplers at the station are out of commission due to component failures. Given the limited remaining operating period of the station (potentially 2 months) repair of the samplers is not considered to be appropriate. The following alternative approach will be adopted until the announced closure date: 2 samples to be taken per week, provisionally Monday/Tuesday and Thursday/Friday from each unit, preserve and then bulk these at the end of the month for analysis for each operating unit.

That would mean $8 \times 4 = 32$ spot samples per month, as there are only 2 units planned to run. Clearly part weeks might only result in one sample being obtained which would be representative of that run period.

Boiler drain valve leakage

Inspection of the boiler drain valves is difficult due to the total number and access to take out of service. It may be possible to identify which drains paths are leaking and therefore reduce the number of valves needing inspection by monitoring accumulation of liquid in the drain flash vessels if these were first drained prior to a preservation period.

It should be noted that when preservation fluid is removed in bulk from a boiler the drain rate should be controlled to a rate which will not lead to significant discharge concentrations in the surface water system even with diluting CW flow.

An estimate of uncontrolled drain rate assuming 30-40 metres of static head and 10" diameter drain leg and 300 ppm ammonia might result in a peak concentration of over 10 ppm ammonia in the discharge even when diluted with one CW pump flow. This is significantly above the permit ELV. Even allowing for discharge of 100 tonnes of boiler fluid over a 1-hour period into a single CW pump flow will result in over 0.5 ppm ammonia in the discharge, again over the ELV. To ensure compliance with the ELV it will be necessary to limit drainage rates to around 15 m³/hour or less.

ACTION: RWE to provide confirmation that boiler fluid drain down flows/times have been restricted procedurally or by other means to ensure compliance with the ELV by 15 October 2019.

Emissions review

The station has not operated during the summer period. All non-operational emissions are

compliant with the permit limits.

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.

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 | | | |
| C2 | C3 | RWE to provide an update on flue gas conditioning plant pre-start-up checks and tests or other measures that have been implemented to prevent a recurrence of the malfunction by 15 October 2019. | 15/10/2019 |

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.