

Compliance Assessment Report CAR_NRW0045343

Permit being assessed: LP3038SU.

For: Nantycaws Generation Plant EPR/LP3038SU, **held by:** Novera Energy Generation No.2 Limited

At: Nantycaws Landfill Site Llanddarog Road , Nantycaws, CARMARTHEN, Dyfed, SA32 8BG.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 06/06/2024.

Parts of permit assessed: 2024 Emissions Monitoring Submission.

NRW Lead Officer: Benjamin Taylor.

Report sent to: Compliance Manager, INFINIS Energy Services Ltd, on 07/10/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4B - Installations - Information - Reporting	Action only (X)	
IR4B - Installations - Information - Reporting	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
IR4B	For future clarity, Operator is to update their reporting form to reflect recent changes onsite.	06/06/2025
IR4B	Operator is to ensure that losses to atmosphere arising from GUP outages are captured within the upcoming PRTR submission.	31/03/2025

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

Introduction

This Compliance Assessment Report (CAR) is an assessment of 2024 Monitoring Data and associated Schedule 6 Notifications submitted by INFINIS Energy Services Ltd (the Operator).

Scope

The following monitoring returns and reports have been assessed within this Compliance Assessment Report (CAR):

- Nantycaws Annual engine emissions June 24
- Schedule 6: Notifications.

2024 Monitoring Returns

The emissions testing was undertaken on the 6th of June 2024, which is **compliant** with the annual monitoring requirement specified by permit condition 2.10.1.

This data was sent within the reporting period (28 days), which is **compliant** with permit condition 4.1.2.4.

Emissions to Air

The point source emissions to air and associated limits are specified within Schedule 2: Table 2.2.2 of the permit.

Engine 1 (Removed)	Species	LFTGN08 overall uncertainty	Average measured emission concentration	Maximum emission including uncertainty	Permit emission standard
		(+ or - %)	(mg/Nm3)	(mg/Nm3)	(mg/Nm3)
	NOx	30	N/a	N/a	650
	CO	20	N/a	N/a	1,500
	TVOC	40	N/a	N/a	1,750

Table 1: Extract of Engine 1 Emission Data

Emissions monitoring was not undertaken on Engine 1 during this reporting period.

On the 10th of May 2024, the Operator updated NRW via email on their Engine Downsize Project. The project is aimed to address the declining volumes/quality of Landfill Gas (LFG) generated by the adjacent Landfill Complex. NRW were informed that as part of the project, Engine 1 which hasn't been in operation since August 2015 would be removed from Site.

Engine 2 (now Engine 3)	Species	LFTGN08 overall uncertainty	Average measured emission concentration	Maximum emission including uncertainty	Permit emission standard
		(+ or - %)	(mg/Nm3)	(mg/Nm3)	(mg/Nm3)
	NOx	30	419	545	650
	CO	20	1051	1261	1,500
	TVOC	40	1061	1485	1,750

Table 2: Extract of Engine 2 Emission Data

The Operator also informed NRW on the 10th of May 2024 of their intention to replace the operational Engine 2 (Jenbacher 320) with a smaller Jenbacher 208 (<1MWth), which would be titled Engine 3. The Operator informed NRW that Engine 3 would utilise the existing A2 emission point to air and given the size and age of the asset, the same emissions limits would apply. NRW requested confirmation that Engine 3 was in operation on the 11th of June 2024, the Operator provided confirmation on the 13th of June 2024.

The reported figures were **compliant** with emission limits specified within Table 2.2.2 of the permit. It was noted however that the Operator is utilising an outdated reporting form.

Action

For future clarity, Operator is to update their reporting form to reflect recent changes onsite.

Schedule 6 Notifications: Q2 2024 (January – September 2024)

The Operator submitted two Schedule 6 Notifications between the 1st of January 2024 and 30th of September 2024. These were related incidents which involved outage of the Gas Utilisation Plant (GUP) between the following times:

- 9th of September 2024 at 09:32 and 10th of September 2024 at 12:48.
- 16th of September 2024 at 14:33 and 18th of September 2024 at 09:10.

The Operator has attributed the GUP outage on 9th of September 2024 to a fault with the flare control relay which meant the flare did not activate following an electrical (low voltage) issue with the engine. The subsequent outage on the 16th of September 2024 has also been attributed to the failed flare control relay. These incidents potentially resulted in the release of LFG, however the Operator has stated that any uncontrolled releases would have occurred outside of the permitted boundary for LP3038SU.

Permit condition 2.12.2 states:

'The operator of the Landfill (permit CP3735PB) shall be responsible for the extraction of gas from the landfill and all the gas supply pipe work up until it reaches the gas engine compound boundary. Responsibility shall then transfer to the holder of this permit. The Operator of the Landfill also holds responsibility for the primary gas treatment plant and landfill gas flare and the collected condensate that is returned to the leachate treatment plant contained within the boundary of permit CP3735PB.'

Considering this permit condition alongside information provided by the Operator, It has been determined by NRW that the breach falls under the remit of an alternative permit (CP3735PB). As a result, non-compliance scores will not be attributed within this CAR.

Directly Applicable Legislation (DAL)

The Operator is required to quantify the likely uncontrolled release of Landfill Gas to atmosphere via the UK Pollutant Release and Transfer Register (PRTR). Chemical components of Landfill Gas can be found within the *Pollutant & Thresholds List* associated with the UK PRTR.

Action

Operator is to ensure that losses to atmosphere arising from GUP outages are captured within the upcoming PRTR submission.

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.