

Compliance Assessment Report CAR_NRW0045606

Permit being assessed: DP3137EG.

For: Margam Green Energy Plant, **held by:** Margam Green Energy Ltd

At: Land off Longlands Lane, Margam, Port Talbot, Neath Port Talbot, SA13 2NR.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 08/11/2024.

Parts of permit assessed: See details below.

NRW Lead Officer: Michael Launder.

Report sent to: General Manager, Eco2, on 11/11/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Installations - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Installations - Information - Reporting	Assessed (A)	
IR4C - Installations - Information - Notification	Assessed (A)	
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2

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

Total non-compliances recorded	Total non-compliance score
5	20

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
IR3A	Q2 CO 1/2 Hourly ELV - Operator to provide to NRW a summary of remedial actions taken to prevent a recurrence of the conditions that led to the exceedances.	Already completed
IR3A	Q2 CO Daily ELV - Operator to provide to NRW a summary of remedial actions taken to prevent a recurrence of the conditions that led to the exceedances.	Already completed
IR3A	Q2 TOC 1/2 Hourly ELV - Operator to provide to NRW a summary of remedial actions taken to prevent a recurrence of the conditions that led to the exceedances.	Already completed
IR3A	Q2 TOC Daily ELV - Operator to provide to NRW a summary of remedial actions taken to prevent a recurrence of the conditions that led to the exceedances.	Already completed
IR3A	Q3 CO 1/2 Hourly ELV - Operator to provide to NRW a summary of remedial actions taken to prevent a recurrence of the conditions that led to the exceedances.	Already completed

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 is a review of the Q2 & Q3 2024 monitoring returns for Margam Green Energy Ltd.

Q2 April to June 2024

The Q2 submission included all the results for quarterly parameters required over this period.

The reported emissions were within the emission limits specified in the permit for the monitoring period, with the exception of the Schedule 5 reports for exceedances of emission limits outlined below.

A Schedule 5 notification submitted to NRW on 15 May 2024 gives a half-hourly CO result for 5 May 2024 at A1 as 2546 mg/Nm³ against the permit limit of 150 mg/Nm³, and the daily CO result as 85.5 mg/Nm³ against the permit limit of 75 mg/Nm³. A further exceedance of the half-hourly TOC limit of 30 mg/Nm³ was reported with a measured value of 655.4 mg/Nm³.

In this instance, the operator reported that the inadvertent shutdown of the plant ID fan caused the spike in emissions. The fan function was restored immediately.

A Schedule 5 notification submitted to NRW on 17 June 2024 reports three exceedances of the half hourly CO limit of 150 mg/Nm³ at A1 on 14 June 2024.

The reported half-hourly values were:

00:29 - 00:59 157.3 mg/Nm³

01:29 - 01:59 179.4 mg/Nm³

06:29 - 06:59 255.2 mg/Nm³

The cause of the breaches was reported to be deposits of boiler fouling affecting the combustion waste layer thickness. This affected air flow, causing intermittent spikes in CO. To prevent further instances of this, additional online boiler cleaning was subsequently added to remove boiler fouling.

A Schedule 5 notification submitted to NRW on 19 June 2024 reported a half-hourly CO result for 18 June 2024 at A1 as 6669.7 mg/Nm³ against the permit limit of 150 mg/Nm³, and the daily CO result as 177.3 mg/Nm³ against the limit of 75 mg/Nm³. Further exceedances of the half-hourly TOC limit (30 mg/Nm³) and daily TOC limit (15 mg/Nm³) at A1 were reported at the same time with a half-hourly TOC result of 1111.9 mg/Nm³ and daily TOC result of 24.3 mg/Nm³.

This was reported to be due to the trip of the plant secondary air fan and main boiler. The plant was restarted and emissions were brought back to within compliance limits.

Compliance: The above results are in exceedance of the emission limits set in the permit for A1 and in breach of condition 3.1.2. Non-compliance categories of C3 against criteria IR3A Emissions to water, air or land have been allocated to each these breaches over the Q2 2024 April to June reporting period.

We have consolidated the non-compliances for the emission limit breaches into one for the each limit for the Q2 reporting period - this is one each for CO (half-hourly limit), CO (daily limit), TOC (half-hourly limit) and TOC (daily limit).

Action: Operator to provide to NRW a summary of remedial actions taken to prevent a recurrence of the conditions that led to the exceedances. COMPLETED.

Q3 July to September 2024

The Q3 submission included all the results for quarterly parameters required over this period.

The reported emissions were within the emission limits specified in the permit for the monitoring period, with the exception of the Schedule 5 reports for exceedances of emission limits outlined below.

A Schedule 5 notification submitted to NRW on 2 July 2024 gives a half-hourly CO result for 1 July 2024 at A1 as 175.6 mg/Nm³ against the permit limit of 150 mg/Nm³.

A Schedule 5 notification submitted to NRW on 14 July 2024 reports three exceedances of the 150 mg/Nm³ half-hourly CO limit on 14 July at A1.

The reported half-hourly values were:

21:29 - 21:59 217.8 mg/Nm³

21:59 - 22:29 342.7 mg/Nm³

23:29 - 23:59 151.7 mg/Nm³

A Schedule 5 notification submitted to NRW on 16 July 2024 gives the half-hourly CO result for 15 July 2024 as 287.3 mg/Nm³ against the permit limit of 150 mg/Nm³.

The operator has reported that the cause of these exceedances was tramp air ingress through a damaged air-preheater. This has since been repaired and the air-preheater is now incorporated into routine inspections during outages.

Compliance: The above results are in exceedance of the emission limits set in the permit for A1 and in breach of condition 3.1.2. Non-compliance categories of C3 against criteria IR3A Emissions to water, air or land have been allocated to each these breaches over the Q3 July to September reporting period.

We have consolidated the non-compliances for the CO emission limit breaches into one for the Q3 reporting period.

Action: Operator to provide to NRW a summary of remedial actions taken to prevent a recurrence of the conditions that led to the exceedances. COMPLETED.

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.