

## Compliance Assessment Report CAR\_NRW0046069

**Permit being assessed:** ZP3939GL.

**For:** Western Wood Energy Plant, **held by:** Western Bio-energy Ltd

**At:** Longland Lane , Margam, PORT TALBOT, West Glamorgan, SA13 2NR.

**Type of assessment:** Report/Data Review,

**Reason:** Routine.

**On:** 31/12/2024.

**Parts of permit assessed:** Q4 2024 Monitoring Submission.

**NRW Lead Officer:** Elliot Jones.

**Report sent to:** Simon Thomas , Plant Manager, on 03/02/2025.

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

| Part of permitted activity assessed (compliance criteria)             | Assessment result | Permit condition |
|---|-------------------|------------------|
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor          | 3.1.2            |
| IR4B - Installations - Information - Reporting                        | Assessed (A)      |                  |
| IR4C - Installations - Information - Notification                     | Assessed (A)      |                  |

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

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 1                              | 4                          |

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(2)  | Investigate cause of CO breach. | 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

#### **Western Bio Energy Limited**

Western Bio Energy (WBE) operates Western Wood Energy Plant in Margam in accordance with EPR/ZP3939GL/V006

The WBE Plant is a co-incineration power plant for the generation of electrical power by the combustion of biomass fuel. Plant has capacity for burning approximately 160,000 tonnes of biomass per annum, providing 14MW of electrical power supplied to the national grid. The plant has capacity to consume both virgin wood material and waste wood biomass.

#### **Purpose of Compliance Assessment Report**

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

- Quarter 4 (Q4) October – December 2024 Continuously Monitored, Emissions to Air.
- Biannual 2 Periodic Emission Monitoring 2024.
- Quarter 4, Associated Schedule 5 Notifications
- Quarter 4 Residue Quality

#### **Compliance Assessment Report**

The relevant monitoring schedule set out in schedule 3 of the permit changed on the 1<sup>st</sup> November 2024. The changes followed implementation and publication of the revised Best Available Techniques (BAT) Reference Document (BRef) for Waste Incineration.

Accordingly, as part of this compliance assessment we have reviewed the Q4 monitoring submissions against the relevant schedules of the permit, namely:

- Schedule 3a – was used to assess the monitoring results reported between the 1<sup>st</sup> October and 31<sup>st</sup> October 2024.
- Schedule 3b - was used to assess the monitoring results reported between the 1<sup>st</sup> November 2024 and 31<sup>st</sup> December 2024.

**Note - All future monitoring submission will be assessed against Schedule 3b of the permit and Schedule 4b.**

### **Quarter 4 2024 Monitoring Returns**

The operator submitted Q4 2024 monitoring returns via email on 27<sup>th</sup> January 2025, this falls within the specified reporting window. Compliant with permit condition 4.2.3.

### **Q4 2024 Continuous Monitoring- Emissions to Air**

Continuously monitored parameters stated in Schedule 3(a) (October 2024) and Schedule 3(b) (November and December 2024) of the environmental permit have been submitted by the operator and reviewed by regulatory officer.

Carbon Monoxide exceeded the daily average emission limit on the 2<sup>nd</sup> October and 23<sup>rd</sup> December 2024.

Exceedance of the emission limits stated in Tables S3.1 is considered a breach of permit condition 3.1.2.

In accordance with non-compliance scoring guidelines, the non-compliance scores for the aforementioned breaches will be consolidated into one non-compliance score.

**A non-compliance score of C3 has been allocated against criteria IR3A (2)- Emissions air.**

All other continually monitored parameters stated in Schedules 3(a) & 3(b) Table 3.1 of the environmental permit have been assessed. Reported results are compliant with the associated emission limits with no other breaches noted.

### **Schedule 5 Notification**

The Operator submitted two schedule 5 Notifications during Quarter 4 2024, which related to two breaches of the Carbon Monoxide (CO) hourly average emission limit.

- CO Hourly Average breach on the 2<sup>nd</sup> October 2024, Notification received 6<sup>th</sup> November 2024 (Date realised a breach had occurred)
- CO Hourly Average breach on the 23<sup>rd</sup> December 2024, Notification received on the 23<sup>rd</sup> December 2024

Issuing a schedule 5 notification when a permit breach has occurred is a requirement of the environmental permit. On both occasions operator notified officer in a timely manner of realising an emission limit breach had occurred on site.

The root cause of the emission exceedance was identified by the operator on both occasions, steam issue leading to over fuelling grate and an abnormal object in fuel feed, respectively.

Schedule 5-part B notification outlined the operator's response to the incidents. Response of the operator mitigated against any prolonged exceedance of the hourly average emission limit; this is evident following review of the operator's Daily report log.

**Biannual 2 2024 Periodic Monitoring Emissions to Air**

Unforeseen circumstances prevented the periodic sampling during Biannual 2 2023. Operator and NRW agreed due to difficulties performing Biannual 2 2023, periodic monitoring would be undertaken on three occasions during 2024.

Biannual 2 2024 Periodic monitoring was undertaken between the 3<sup>rd</sup> and 5<sup>th</sup> December 2024; this was the final of three-sampling campaigns planned for 2024. Monitoring results issued with the Q4 monitoring returns.

Monitoring results has been reviewed and all parameters stated in Table 3.1 of the permit have been monitored. Monitoring results are compliant with the associated emission limits with no breaches noted.

**Q4 Residue Quality**

Bottom and Fly Ash analysis has been undertaken. Reported results comply with the monitoring requirement of parameters stated in Schedule 3(b) Table S3.5. No breaches of the emissions limit noted.

*This CAR report and assessment was undertaken on 29th January 2025. However, to ensure that the CCS score is attributed to the correct financial year (for billing) the date on CARS system has been altered to 31st Dec 2024.*

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](mailto: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](mailto: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.