

Compliance Assessment Report CAR_NRW0046423

Permit being assessed: FP3238SL.

For: Lamby Way Generation Plant EPR/FP3238SL, **held by:** Novera Energy Generation No 2 Limited

At: Lamby Way Landfill Site Lamby Way , Rumney, Cardiff, CF3 2HP.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: 4.1.3 Annual Report.

NRW Lead Officer: Brigid Armstead.

Report sent to: George Augood, Site Technician, on 24/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2C - Installations - Operations - Operating techniques	C3 Minor	2.3.1

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
IR2C	Operator is to ensure the flare is maintained to ensure it is fully functional in the event of future GUP outages.	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

Lamby Way Gas Utilisation Plant Annual Report EPR/ FP3238SL

Raw Materials (& water) Assessment

A raw materials and water assessment was submitted to NRW for 2024 on 24th January 2025.

Waste Minimisation

A waste minimisation, recovery and disposal assessment was submitted to NRW for 2024 on 24th January 2025.

Energy Efficiency

Infinis submitted the information required under condition 2.7.1 by the date required under this condition.

The sites energy efficiency was reported to be 32.9%

Accident Management Plan review

The annual report submitted on 24th January 2024 states that the Accident Management Plan is reviewed on a monthly basis and states that “no incidents occurred during this period which would require amendment to the Accident Management Plan for this installation.”

Emissions to Air

Emissions to Air as monitored under the requirements of 4.1.2 were submitted to NRW on 19th June 2024.

Engine 1 was permanently removed from site May 2019

Engine 2 was permanently removed from site January 2016

Flare 1 ran for less than 10% of the period prior to testing and therefore testing was not required

Flare 2 ran for more than 10% of the period prior to testing and therefore testing was required

Engine 3 and 4 and Flare 2 monitoring results for the 2024 period, once relevant uncertainty factors applied, meets limits for emissions to air for the parameters and emission points set out in Table 2.2.2. At present, this represents compliance with the environmental permit.

Performance (4.1.3)

Performance indicators required under the permit relate to energy efficiency and water usage.

Infinis submitted form an Annual Report on 24th January 2025 which contains the information listed under table 4.1.

Fugitive Emissions (4.1.4)

Fugitive emissions review received by NRW on 24th January 2025

Fugitive Emissions Review (4.1.4)		Reporting period:	Jan - Dec 2024
Installation Name: Lamby Way Landfill gas utilisation plant		Permit reference	FP3238SL
Substances Released/Potentially	Description of event and any contamination/decontamination of the site which has occurred		
Landfill gas	Details of any notifiable events have been submitted to NRW in accordance with our notification procedure		
Spillages	No significant spillages, contamination or decontamination to report for this installation		

EMS Annual Improvement Targets Progress (4.1.5)

The Annual Report submitted to NRW on 24th January 2025 includes a raw material (and water) assessment table and a waste minimisation, recovery and disposal assessment.

The reports have not been submitted using the forms specified in Schedule 3 Table S3. However, this represents compliance with the environmental permit on the basis the standard annual permit report has been agreed with the regulator 10+ years ago.

Failure to Treat (Flare) Landfill Gas – July 2024

On the 29th of July 2024, INFINIS submitted the following Schedule 6 Notifications:

- Lamby Way Schedule 6 270724 Part A.

This notification was regarding the release of an unquantifiable quantity of Landfill Gas following an outage of the Gas Utilisation Plant (GUP) from 21:27 on 27/07/24 to 09:45 on 29/07/24.

On the 28th of August 2024, INFINIS submitted the following Schedule 6 Notifications:

- Lamby Way Schedule 6 270724 Part B.

The GUP outage has been reported to be due to a failure of the flare to start up.

Failure to flare LFG is in breach of the operating techniques (permit condition 2.3.1), as a result a category 3 non-compliance score has been assigned.

Action: Please ensure that the flare is maintained and fully functional in the event of future engine

outages.

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.