

Compliance Assessment Report CAR_NRW0046347

Permit being assessed: ZP3032KQ.

For: Afan Combined Heat And Power Facility, **held by:** Dwr Cymru Cyfyngedig

At: Afan Combined Heat And Power Facility, Phoenix Walk, Port Talbot, SA13 1RA.

Type of assessment: Report/Data Review,

Reason: Other.

On: 18/02/2025.

Parts of permit assessed: Schedule 3 Emissions and Monitoring. Emissions to Air.

NRW Lead Officer: Daren Pike.

Report sent to: Ian Hullin, Renewable Generation Energy Analyst, on 26/03/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W3A(2) - Waste - Emissions and monitoring - Emissions to air	C3 Minor	Breach of emission limit value at A5 Flare Stack.

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
W3A(2)	Service of flare stack and re-test emissions.	30/04/2025

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

On the 31st of January 2025 NRW was notified by Dwr Cymru Welsh Water of a breach of a Permitted Emission Limit that was recorded at the Afan Waste Treatment site in Port Talbot. The breach relates to an emission to air from emission point A5 Flare Stack recorded between 13:55 - 14:55 hours on Wednesday the 18th of December 2024. The Emission Limit Vale is 50mg/m³. The recorded value from the test was 1733.20 mg/m³.

DCWW has advised NRW that the Flare Stack was to be serviced on 18/02/2025 and the test repeated. NRW is awaiting the results of this re-test.

The ELV recoded in the permit and the Schedule 5 notification are shown below.

Schedule 3 – Emissions and monitoring



Table S3.1 Point source emissions to air – emission limits and monitoring requirements

Emission point ref. & location (as identified onsite plan at Schedule 7)	Source	Parameter	Limit (mg/Nm ³) ¹	Reference period	Monitoring frequency	Monitoring standard or method
A1- CHP unit 1 A2- CHP unit 2	Exhaust of spark ignition engines via individual, 24m unimpeded vertical stacks	Nitrogen Oxides (NO _x expressed as NO ₂)	500	Hourly Mean	Annually. The first annual monitoring to be undertaken as part of the engine commissioning	In accordance with Agency guidance note M2 "Monitoring of stack emissions to air".
Carbon Monoxide		1,400				
Sulphur dioxide		339				
A3 - Boiler unit 1 A4 - Boiler unit 2	Combustion products from boilers emitted via individual, 24m unimpeded vertical stacks	Nitrogen Oxides (NO _x expressed as NO ₂)	170	Hourly Mean	Annually ²	
Carbon Monoxide		75				
Sulphur dioxide		160				
A5 - biogas flare with a combustion temperature of at least 1,000 °C and a residence time of at least 0.3 seconds	Combustion products from biogas flare via a 7.5m unimpeded vertical stack	Nitrogen Oxides (NO _x expressed as NO ₂)	150	Hourly Mean	Annually ³	
Carbon Monoxide		50				
Sulphur dioxide		339				
Operational temperature		>1000°C	Instantaneous reading	Annually ³		

¹ These limits do not apply during start up and shut down.

² Annual monitoring of the boilers is only required if notified by the Agency, (based on a percentage usage of supplementary firing on biogas).

³ Annual monitoring is only required when flare operates in excess of 10% of the time, taken on an annual assessment period.

Schedule 5 – Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	EPR/ZP3032KQ
Name of operator	Dwr Cymru Welsh Water
Location of Facility	Afan WwTW
Time and date of the detection	30/01/2025 11:04

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution	
To be notified within 24 hours of detection	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection unless otherwise specified below	
Emission point reference/ source	A5 Flare Stack
Parameter(s)	Carbon Monoxide
Limit	50 mg/m ³
Measured value and uncertainty	1733.20 mg/m ³
Date and time of monitoring	18/12/2024 13:55-14:55
Measures taken, or intended to be taken, to stop the emission	We will get the flare serviced and re-test at the earliest opportunity.

Permit number
EPR/ZP3032KQ/A001

12

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	Ian Hullin
Post	Energy Analyst (Generation)
Signature	Ian Hullin
Date	31/01/2025

* authorised to sign on behalf of the operator

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 Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – 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.