

## Compliance Assessment Report CAR\_NRW0048206

**Permit being assessed:** DP3934EW.

**For:** Point Of Ayr Gas Terminal , **held by:** Eni UK Ltd

**At:** Point of Ayr Terminal Station Road , Talacre, HOLYWELL, Clwyd, CH8 9RD.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 15/04/2025 between 10:00 and 14:30.

**Parts of permit assessed:** Various.

**NRW Lead Officer:** Stuart Ross, accompanied by Victoria Taylor, Jeremy Walters.

**Report sent to:** Eni UK HSE Manager, Eni UK HSE Manager, on 09/06/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2A - Installations - Operations - Permitted activities	Assessed (A)	

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?

No action required.

### 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

This Compliance Assessment Report has been raised by NRW following a routine site inspection and meeting at Eni UK's Point of Ayr Gas Terminal. The purpose of the meeting was to discuss Eni's current activities at the site and the proposals and associated permitting implications further to the decommissioning of the existing gas treatment plant and the transformation of the site to become an integral component of the Hynet Carbon Capture and Storage facility.

Present were representatives from Eni UK, Saipem (Eni's appointed contractor) and NRW, including representatives from NRW's Planning Advice Service and Industry Decarbonisation Team.

### **Site Meeting**

Eni UK provided an update on the current status of site operations and an overview of timescales for the decommissioning of the plant and construction of the new gas compression station.

### **Shallow Excavation Dewatering (Surface Water)**

Eni UK reported that they propose to temporarily dewater shallow excavations on the site in June 2025 as part of enabling works for temporary construction facilities (TCF) to support the later site demolition and construction phases. Eni UK plan to use the existing Point of Ayr site permit (EPR/DP3934EW) to permit the discharge of surface water from these shallow excavations.

Further to previous correspondence, NRW advised Eni UK that this proposal may be acceptable, without the requirement for a permit variation application, if it can be demonstrated through a suitable risk assessment that this will not lead to an adverse environmental impact.

This includes consideration of Per- and Polyfluoroalkyl Substances (PFAS) from the historical storage and use of aqueous fire fighting foam (AFFF) and other contaminants that may be present.

Eni UK submitted a revised risk assessment and supporting document to NRW 03/06/25 which has been reviewed by NRW and we have the following comments;

There remains uncertainty as to the extent and locations of historical firewater bowser discharges across the site. There is insufficient information to provide certainty that water ingress into shallow excavations will not breach permit conditions when pumped and discharged to controlled water.

NRW request that Eni UK provide a proposal for sampling and testing of extracted water for PFAS prior to discharge. The proposal should also include contingency and mitigation in the event that PFAS is detected. The proposal should include how... *the operator shall manage and operate the activities...using a sufficient competent person and resources*, as per Condition 1.1.1 (b) of the permit.

### **Deep Excavation Dewatering (Ground Water)**

Eni UK have applied to NRW for a Groundwater Investigation Consent (GIC) and subsequent to the meeting comments from NRW's Water Resources Team were provided to Eni UK for consideration and response.

### **Discharge of Groundwater to Surface Waters**

Eni UK intend to apply to NRW for a groundwater abstraction licence for the removal of groundwater as part of the site remediation and construction activities to commence in August/September 2025.

A detailed soil and groundwater investigation has identified the presence of PFAS in soil and groundwater associated with the historic use of AFFF at the terminal. Therefore Eni UK are investigating suitable treatment options for the removal of PFAS as part of a proposal to discharge treated water to surface water via the sites surface water emission point (W1). Treatment is likely to involve granulated activated carbon and possibly other techniques (to be determined).

The existing installation permit for the site does not authorise the treatment and discharge of potentially contaminated groundwater to surface waters. During the meeting Eni UK stated that Saipem intend to apply for a discharge consent for this process, this was subsequently updated to a proposal to utilise a mobile plant permit and deployment. NRW advises that an application to vary the existing installation permit is the most appropriate mechanism for permitting the treatment and discharge of groundwater to controlled waters.

### **NRW - Development Planning Advice Service (DPAS)**

A discussion was held with a DPAS regarding engagement with NRW as part of Eni UK's PFAS remediation strategy in discharging TCPA condition 12. Advice was provided accordingly and subsequent engagement has commenced.

### **Installation Permit Surrender**

Eni UK intend to surrender the installation permit EPR/DP3934EW as the future carbon dioxide compression activities are not a listed activity under Schedule 1 of the Environmental Permitting Regulations. However, it is possible that permits may be required for other activities such medium combustion plant / specified generator - to be determined.

NRW would like to highlight that the surrender tests for installation permit surrender need to be met - these may not align with the remediation requirements / outcomes set out by TCPA conditions.

Further guidance on permit surrender can be found in Regulatory Guidance Note 9 (RGN9), available on our website.

### **Site Inspection**

A brief walkover of the site was completed for general awareness of plant layout to

contextualise the decommissioning and future development activities.

All gas processing activities have ceased.

No issues noted.

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.