

## Compliance Assessment Report for:

# STANDALONE MEDIUM COMBUSTION PLANT AND SPECIFIED GENERATORS

<b>Permit number</b>	<b>DB3394CU</b>	<b>Operator name</b>	Dragon Fruit Holdings Limited
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<b>Site name</b>	DB3394CU-Dragon Fruit Holdings Limited
<b>Site address</b>	Dragon Fruit Holdings Limited Edwards Business Park, Llantrisant, Pontyclun, CF72 8QZ
<b>Type of assessment</b>	Site Inspection and Report Review

<b>Date of assessment</b>	17/12/2024	<b>Time in</b>	10:00	<b>Time out</b>	13:00
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<b>Parts of permit assessed</b>	3.2.1 & 1.1.1 & 1.1.2 & 4.2.2
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<b>NRW Lead officer</b>	Geraint Harris	<b>Accompanied by</b>	Kelly Sherratt
<b>Report sent to – Name and position</b>	Mike Edwards	<b>Date</b>	31/12/2024

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
MCP3A Emissions to water air or land	A - Assessed, no evidence of non-compliance	3.2.1
MCP4B Reporting	A - Assessed, no evidence of non-compliance	4.2.2
MCP1A General management	C3 Minor	1.1.1
MCP1A General management	C3 Minor	1.1.2
Choose an item.	Choose an item.	
Choose an item.	Choose an item.	

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

<b>Total number of non-compliances recorded</b>
2

## 2. What action is required?

Criteria	Action needed	Complete by
MCP1A	<b>Action 1 Please provide the documents below as well as any other additional information within your EMS by the 17<sup>th</sup> April 2025</b>	17/04/2025

Action criteria codes are listed in the 'Important information' section below.

## 3. What will happen next?

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

## 4. Details of our assessment

### Dragon Fruit Holdings Limited

#### EPR-DB3394CU

Dragon Fruit Holdings Limited (Dragon hereafter) was issued with a varied Bespoke permit on the 6<sup>th</sup> January 2025. The NRW initiated variation changed the permit reference from PAN-005576 to EPR/DB3394CU. The permit regulates three bespoke new Medium Combustion Plants (MCPs) in accordance with the MCP Directive. The regulated activity is to operate three virgin woodchip fuelled biomass boilers within Edwards Business Park. The activity comprises of a Schedule 25A (Medium Combustion Plant) activity - listed under the Environmental Permitting (England and Wales) Regulations 2016 (as amended 2019). The generating plant comprises 2No. 1.2 MWth input WK RRK 1000 Binder boilers and 1No. 1.2 MWth input Hargassner Magno-SR 1200 boiler housed within a building, which will provide heat to the Edwards Business Park. Each biomass boiler discharges emissions to air via three separate 9-metre stacks. The facility will also have a virgin wood chip storage area; however, this is not regulated by this permit.

An inspection of the site's medium combustion plants was undertaken on the 17<sup>th</sup> of December as part of the ongoing regulatory compliance work. At the time of the inspection, the boilers were in use and no smoke was visible from either of the stacks. The first area that was inspected was the wood storage piles. The wood was found to be virgin wood and certificates of its conformity were observed during the inspection. The resulting ash is suitably contained and there were no fugitive emissions observed while on site. Each of the boilers were found to be suitably maintained. Each stack does not have permanent structures for sampling and monitoring and so the operator relies on temporary scaffolding platforms for the 3-yearly emissions monitoring. These were not observed during this audit. The boilers and the permitted area were all found to be compliant during this audit.

After inspecting the boilers, we then had a discussion in the site offices. Dragon have had numerous permit variations over recent years. I would like to point out that version 003 contains all of the up-to-date information and so the site no longer needs to refer to versions 1 and 2. One of the last things we talked about was the site's environmental management system. Dragon's permit, under section 1.1.1, requires them to have a written management system and permit condition 1.1.2 requires that

records demonstrating compliance with condition 1.1.1 are maintained. The EMS should be used to run Dragon's activities, and should be improved if they are not compliant. The management system must be in place once a site is operational and available to NRW when asked to see it. The content of a management system depends on the risk and complexity of activities. It must identify the risks to the environment from your activities and explain in detail the measures you will take to prevent or minimise those risks. An effective management system will enable you to manage compliance with your permit and any other legal requirements to protect the environment.

As a holder of an MCP permit, Dragon are not expected to have an extensive management system; however, they should have one that is proportional to the size and risk of their activities. However, on the day of the inspection, Dragon were unable to produce any record of their environment system. However, within Dragons permit application, it is stated that they have a management system and a list of documents (Annex 1 below) was provided. NRW followed up this inspection with an email sent on the 23<sup>rd</sup> of December 2024 requesting Dragon provide evidence of an environmental management system. The deadline for this was the 20<sup>th</sup> of January 2025. No response was provided; therefore, it is assumed that Dragon do not have an environmental management system.

A non-compliance against permit condition 1.1.1 is being issued for failure to implement or keep up to date an environmental management system and 1.1.2 for failure to maintain records demonstrating compliance with condition 1.1.1. **These are considered two category 3 non-compliances at the moment.** However, continued operation without an effective EMS will result in an escalation.

**Action 1 Please provide the documents below as well as any other additional information within your EMS by the 17<sup>th</sup> April 2025.**

### Monitoring Returns

NRW received the monitoring returns for emission points A2 and A3. Table S3.1 requires Dragon to undertake monitoring every 3 years. The previous monitoring for emission points A2 and A3 was undertaken in 2022. The previous monitoring for emission point A1 was undertaken on the 7<sup>th</sup> July 2023 and so it is not due yet. The returns for A2 and A3 have been reviewed and accepted.

### Annex 1

Reference	Document Title	Electronic Location
DFHL101	Environmental Management System Manual	Environmental Management System/ Introduction
DFHL102	Site Plans	
DFHL103	Environmental Permit	
DFHL201	Environmental Policy for Dragon Fruit Holdings Ltd	Environmental Management System\ Environmental Policy
DFHL301	Environmental Aspects Register	Environmental Management System\ Environmental Aspects
DFHL401	Legal Register	Environment Management System/ Legal and Other Requirements
DFHL501	Communication Process	Environmental Management System\ Implementation and Operation\Communication
DFHL502	Document Control Procedures	Environmental Management System\ Implementation and Operation\Document Control
DFHL5021	Document Control Record	Environmental Management System\ Implementation and Operation\Document Control
DFHL503	Emergency Preparedness and Response	Environmental Management System\Implementation and Operation\Emergency Preparedness and Response Procedures
DFHL5031	Fire or Explosion Response Procedure	
DFHL5032	Fuel/Chemical Response procedure	
DFHL5033	Water Contamination Response Procedure	
DFHL5034	Accident and Incident Record Form	
DFHL5041	Virgin Wood Acceptance Procedure	Environmental Management System\Implementation and Operation\Operational Control
DFHL5402	Emissions Monitoring Schedule and Contacts	
DFHL505	Management Responsibilities	Environmental Management System\Implementation and Operation\Operations Control\Structure Roles Responsibility and Authority
DFHL5051	Key Contacts	
DFHL506	Training and Awareness Policy	Environmental Management System\Implementation and Operation\Operations Control\Training, Awareness and Competence
DFHL5061	Training Record	
DFHL5062	Training Matrix	
DFHL601	Maintenance	Environmental Management System\Checking and Corrective Action\Maintenance
DFHL602	Non-Conformity Corrective and Preventative Action	

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
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

**Full list of Medium Combustion Plant and Specified Generator criteria (used in section 1 and 2):**

**1: Management**

- MCP1A General management

**2: Operations**

- MCP2A Permitted activities
- MCP2B The site
- MCP2C Operating techniques
- MCP2D Improvement programme
- MCP2E Pre-operational conditions

**3: Emissions and Monitoring**

- MCP3A Emissions to water, air or land
- MCP3B Emissions of substances not controlled by emission limits
- MCP3C Odour
- MCP3D Noise and vibration
- MCP3E Monitoring
- MPC3F Fire

**4: Information**

- MCP4A Records
- MCP4B Reporting
- MCP4C Notification

**Enforcement response**

Any permit condition non-compliance 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 20 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 – 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.