

## Compliance Assessment Report

Report ID:  
CAR\_NRW0036135

This form will report compliance with your permit as determined by an NRW officer

Site	Parc Adfer Enery Recovery Facility		Permit Ref	AB3092CV		
Operator/Permit holder	Parc Adfer Operations Ltd					
Regime	Installations					
Date of assessment	05/11/2019	Time in	10:00	Out	14:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Commissioning Inspection					
Lead officer's name	Kelk, Matthew					
Accompanied by	Pierce, Emma					
Recipient's name/position	Philip Preece/ Plant Manager	Date issued	03/01/2020			

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
E5 - Emissions - Waste	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	

**KEY:** See Section 5 for breach categories, suspended scores will be indicated as such.

**A** = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

**O** = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

## Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

An inspection of the Parc Adfer facility was undertaken during the commissioning period on the 5 November by Senior Industry and Waste Regulation officer Matthew Kelk and Emma Pierce.

### **Incinerator Bottom Ash**

An update on the Incinerator Bottom Ash sampling was given. At the time of inspection 16 samples had been taken using the accelerated ESA sampling protocol. 3652 tonnes of ash had been sent to Ballast Phoenix in Runcorn and held under quarantine. This has been sent using EWC 19 01 12.

Letter sent to NRW post inspection 14 November 2019, requesting NRW permission to process the first 12 results worth of ash at Ballast Phoenix. Subsequent telephone conversations held with Alana Rhodes and Phil Preece and NRW response that full 24 samples needed to be processed before processing and that the responsibility would remain with Wheelabrator as the producer of the waste.

### **Air Pollution Control Residues Recycling Trials**

Ongoing trial for APCr waste to be sent to Castle Waste Services Limited in Ilkeston and Augean, 50/50 split. It was confirmed that the waste was been sent to the facilities using EWC 19 01 07 code.

Environmental permits were requested for each facility, the permit for Castle Waste Services was forwarded to NRW during the inspection.

### **Action**

Wheelabrator to provide copy of environmental permit for the Augean Facility by 3 February 2020.

### **Reporting Commencement**

Takeover date from CNIM discussed and the start of reporting to NRW following the end of commissioning. As of the 20 December 2019, notification verbally and via email that plant has now been handed over from EPC contractor CNIM to Wheelabrator following the end of commissioning.

### **Attenuation Pond**

Majority of water on site is recycled, road drains go to the site attenuation pond. The pond is released to ditch when capacity is needed. Penstock has been closed during construction, but will change during operation. Checks are carried out prior to discharge.

### **Action**

Wheelabrator to send list of checks carried out on water discharge by 3 February 2020.

### **Plant On Algorithm**

Phil Preece ran through the logic gate sequence for plant on and queried whether an agreement could be sought at what point the plant would be considered in start up or normal operation. It was also discussed that the WI BREF BATC interpretation document was being written by the Environment Agency and this would include a definition of NOC and OTNOC.

### **Action**

Wheelabrator to write to NRW requesting agreement around logic gate sequence.

### **CEMS Instrument Operating Limits**

Phil Preece ran through potential situation where an emission may be greater than 1.5 emission limit value (ELV) (MCERT certified range) and what should be recorded if outside of this range. We refer to Environment Agency Guidance M20 Quality

Assurance of Continuous Emission Monitoring Systems - Application of EN 14181 and BS EN 1324 -2 section 2.2.3 and the requirement for suitable certification ranges. All recorded data should be reported to NRW.

#### **COTC Query**

Queries were raised what COTC is required by NRW for an energy from waste plant, it is confirmed that COTC is not needed as training will be provided as part of your sites EMS system.

#### **IBC storage area**

During the site walkover a number of IBC and containers were stored outside bunds, it was established that these belonged to CNIM the EPC contractor on site. It was recommended that all containers that could have an impact on the environment should have secondary containment. An email was received the following day after the inspection showing this action had been carried out.

## EPR Compliance Assessment Report

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Operator/Permit holder	Parc Adfer Operations Ltd	Date	05/11/2019

### Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

### Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

## Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

**See our Enforcement and Civil Sanctions guidance for further information**

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

### Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

**Operational Risk Appraisal (Opra)** - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

## Section 6 – General information

### Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

### Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

### Customer charter

#### What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk). If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

#### Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.