

## Compliance Assessment Report

Report ID:  
CAR\_NRW0036196

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

Site	Point Of Ayr Gas Terminal	Permit Ref	DP3934EW		
Operator/Permit holder	Eni UK Ltd				
Regime	Installations				
Date of assessment	28/11/2019	Time in	10:00	Out	15:30
Assessment type	Audit				
Parts of the permit assessed	Management, Maintenance, Monitoring, Emissions and Notifications				
Lead officer's name	Cubley, Lara				
Accompanied by	Rees-Jones, Jenny				
Recipient's name/position	Catherine Jones/ Senior Environmental Advisor	Date issued	20/01/2020		

### 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
B5 - Infrastructure - Plant and equipment	C4	3.1.6
C2 - General Management - Management system and operating procedures	C3	1.1.1
E1 - Emissions - Air	C3	3.1.2
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	C3	4.1.1

**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	4	Total compliance score (see section 5 for scoring scheme)	12.1
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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

Natural Resources Wales conducted an announced inspection of installation on the 28<sup>th</sup> November 2019. This Compliance Assessment Report summarises this audit together with an assessment of compliance based upon Part A/B notifications for 2019.

### Inspection 28<sup>th</sup> November 2019

#### Site Status

Train B was under maintenance during the site inspection.

Production is predicted to reportedly end sometime in 2024.

#### Site Preventative Maintenance

Site preventative maintenance procedure, Maintenance Philosophy H-000-XB-001, was reviewed and did not define how environmentally critical plant and equipment is identified. The Operator was unable to provide a written definition and was requested to provide this following the inspection. An e-mail following the inspection stated,

*'Our definition of ECE is 'elements on site which prevent or mitigate a release to the environment or a permit non-compliance' and the table below identifies POA equipment having the potential to impact compliance with the two site environmental permits'.*

A list of ECE equipment for the site was also provided together with procedure, Application of Criticality to Equipment and Maintenance H-000-XP-012 rev 4B May 2019.

This definition does not appear in any procedures we reviewed relating to maintenance. Given the definition of environmentally critical plant provided, NRW are of the opinion that additional equipment should be in the ECE listed, i.e. carbon filters for emission points A12 – A19 in the Permit and all sumps/underground structures i.e. Glycol, Amine, Solvent, Caustic, lab, pig receiver sumps.

There appear to be inconsistencies between SAP tags for environmentally critical plant/equipment and the list of environmentally critical plant/equipment provided.

The Operator employs SAP for assigning, scheduling and recording maintenance. A sample of sumps and carbon filters viewed in the SAP system confirmed that regular maintenance was generally being undertaken to schedules required. We reviewed a sample of inspection reports but could not find an inspection which covered the pig receiver underground sump tank or interceptor pit. Following the inspection, further information was supplied as requested and a summary of the situation is provided below:

#### Pig Receiver underground sump tank

No construction details for this sump which drains to an underground tank with no asset tag could be

found. 20,000kg of pig sump washings were removed from this tank on 25/11/19 with accompanying hazardous waste documentation. Maintenance inspections for the underground tank are not available and this asset does not appear in the maintenance system. Only inspection of the above ground bund was available dated 03/06/19.

#### **Interceptor pit (HT-M-53001)**

The last inspection of the interceptor pit was 14/04/16. This inspection was only from the top of the pit due to the requirement for breathing Apparatus. SAP appeared to have a 2 yearly inspection scheduled but this is clearly now overdue by a year and a half. This last inspection report noted mastic sealing associated with the bowser hose connection point was degraded allowing any spilt or residual liquids to flow directly into the surrounding soil.

**NRW considers that Condition 1.1.1 has been breached (C2 – Management Systems – CCS3).** There is no written procedure to clearly identify environmentally critical plant. Environmentally critical plant is not always identified. Interceptor pit maintenance schedule not being adhered to.

**NRW considers that Condition 4.1.1 has been breached (G3 – Maintenance records – CCS3)** – records of pig receiver underground tank maintenance and construction are not available with potential to impact land and groundwater. Interceptor pit maintenance schedule not being adhered to.

**ACTION 1:** The Operator should review maintenance procedures and the implementation of such procedures to ensure Environmentally Critical Plant are clearly defined in written procedures, personnel are trained, and procedures are effectively implemented. A report detailing this review with time bound improvements/actions shall be provided to Natural Resources Wales by 28/02/20. As part of this review, the Operator must ensure all plant/equipment and infrastructure at the site whose integrity could impact on emissions to the environment are identified and have a planned preventative maintenance schedules including but not limited to the pig receiver underground sump tank and lab collection sump.

**ACTION 2:** The Operator should undertake investigations into the construction and condition of the pig receiver underground sump tank and detail investigations into pollution and actions taken in response to the inspection report for the interceptor pit 14/04/16 findings of degraded mastic sealing. A report detailing findings and actions taken shall be provided to Natural Resources Wales by 31/03/20.

**ACTION 3:** The Operator should complete maintenance inspection of the interceptor pit that is overdue as soon as possible and no later than 31/03/20. Upon completion, the report detailing the inspection shall be provided to Natural Resources Wales together with the previous report detailing internal inspection of the Interceptor pit.

#### **Condition 3.1.4 – Monitoring of Groundwater/Soil**

The Operator had a query regarding the requirement for groundwater and soil monitoring every 5 years and 10 years respectively. This follows the variation to update the permit giving effect to the refinery BREF review in 2018. Condition 3.1.4 was a new condition added at this time.

NRW has reviewed this requirement since the site inspection and can confirm that this is a requirement as a result of the Industrial Emissions Directive and will provide further advice and guidance to the Operator on how to comply with such requirements.

#### **Part A/B Notifications 2019**

##### **Emissions to Air**

##### **Emission Point A1 TOX (Continuous Monitoring)**

During 2019 the continuous monitor for SO<sub>2</sub> appeared to malfunction for short periods of time for which Part A and B

notifications were received, monitoring either side of malfunction demonstrated compliance:

- 13/02/19 - plant operating conditions were reportedly continually monitored, and all remained steady. Investigations were unable to pin point cause.
- 19/10/19 and 20/10/19 – plant operating conditions were reportedly continually monitored, and all remained steady. Investigations were unable to pin point cause.
- 31/10/19 - plant operating conditions were reportedly continually monitored, and all remained steady. Investigations were unable to pin point cause.
- 05/11/19 – plant was reportedly online under normal operating conditions. Initial investigation indicated intermittent sample handling system fault.

During the inspection on the 28<sup>th</sup> November 2019 and from Part B information provided it was confirmed that it took some time to correctly diagnose the continuous monitor's malfunction. Initially the sample system filter was reportedly replaced, however it was later noted that the sample system enclosure was not properly fitted causing the sample lines to cool and become blocked.

**Natural Resources Wales considers that Condition 3.1.6 has been breached in that continuous monitoring of emission point A1 for SO<sub>2</sub> was not continuous (B5 Plant and equipment – CCS4).** Periods of no monitoring were short and there was compliance with emission limits either side. We consider there to be no environmental impact.

**ACTION 4:** The Operator must provide NRW with a root cause analysis and details of measures taken or intended to be taken to prevent a recurrence of the incident by 07/02/20.

Between 19<sup>th</sup> and 23<sup>rd</sup> December the Operator breached the SO<sub>2</sub> limit of 190mg/m<sup>3</sup> with a maximum hourly average of 1421mg/m<sup>3</sup> for which Part A and B notifications were received. The Operator reported that the tail gas unit (TGU) was taken off-line to allow for a pump change whilst field wide production was off-line. During this operation the Point of Ayr process was in recirculation with no gas reportedly exported.

**Natural Resources Wales considers that Condition 3.1.2 has been breached (E1 – Emissions to air CCS3).** Currently classed as minor potential impact in absence of further information.

**ACTION 5:** The Operator must provide NRW with a root cause analysis and details of measures taken or intended to be taken to prevent a recurrence of the incident by 07/02/20.

**ACTION 6:** The Operator has taken the TGU off-line on several occasions to conduct maintenance/repairs. The Operator should use the emissions monitoring data for SO<sub>2</sub> to model the likely impacts on the environment and present a report to Natural Resources Wales by 31/03/20.

## EPR Compliance Assessment Report

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Operator/Permit holder	Eni UK Ltd	Date	28/11/2019

### 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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

### 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			
E1	C3	See action 5 & 6	31/03/2020
B5	C4	See Action 4	07/02/2020
G3	C3	see Action 1 - 3	31/03/2020
C2	C3	See Action 1 - 3	31/03/2020

## 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.