

## Compliance Assessment Report

Report ID:  
CAR\_NRW0036251

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

Site	Cardiff Energy Recovery Facility	Permit Ref	LP3030XA
Operator/Permit holder	Viridor Waste Management Ltd		
Regime	Installations		
Date of assessment	06/12/2019	Time in	10:00
Assessment type	Report/Data Review		
Parts of the permit assessed	Monitoring, emissions, abatement and residues assessment		
Lead officer's name	Leakey, Antony		
Accompanied by			
Recipient's name/position	Gwyn Jones/ HSE Manager	Date issued	29/01/2020

### 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	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
E1 - Emissions - Air	A	
E5 - Emissions - Waste	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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.

<b>Number of breaches recorded</b>	<b>0</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>0</b>
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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

### Trident Park Reporting Review and Site Visit - 6 December 2019

#### Sulphur dioxide ELV exceedance

The 30-minute average SO<sub>2</sub> ELV was exceeded on 19 August 2019, previously scored as a minor category 3 breach of permit condition 3.1.2 due to the limited potential for the 15-minute Air Quality Standard to be exceeded during the event.

A review of the process operating conditions at the time of the event showed that the acid gas abatement was operating at 100% output and the back-up lime dosing system can take too long to bring into service when dealing with a short-term excursion such as this. High HCl in the raw gas, presumably associated with unidentified high chlorine content material in the waste feed, appeared to overwhelm the acid gas abatement resulting in poor concurrently high raw gas SO<sub>2</sub> absorption leading to the ELV breach.

The event raises the possibility that the plant does not have the full capability to deal with the range of waste variability that might be encountered.

Previous daily and 30-minute average HCl ELV exceedances during 2019 are presumably due to the same waste feed variability, indicating that further measures may be necessary to improve response to such events.

Previous experience of these types of events described by the shift leader on duty during the visit seem to suggest that the second lime feed system can be deployed to deal with such situations, but the system is not currently set up to allow rapid response by the plant operator. A review of these systems and options to allow a more automated or speedy manual response is required to minimise the risk of future ELV exceedance.

**ACTION: Viridor to review acid gas abatement plant capability and potential for improvements and provide an update on progress by 31 March 2020.**

#### NO<sub>x</sub> abatement abnormal operation

The 30-minute average NO<sub>x</sub> ELV was exceeded on 4 November 2019 due to a urea blockage in the storage silo outlet. This period of operation is covered by the abnormal operation provision in the Industrial Emissions Directive and therefore is not a breach of permit condition 3.1.2. Urea blockages are experienced due to the use of bulk storage of this hygroscopic material, whereas other plants use semi-bulk urea supplies which appear to be less prone to blockage. NRW understands that a review of the urea handling system at Trident Park is being undertaken.

**ACTION: Viridor to review urea handling system and potential for improvements and provide an update on progress by 31 March 2020.**

## IBA assessment

2018 and 2019 WM3 assessments of IBA have been reviewed.

IBA might normally be considered hazardous based on HP4/6 and HP14. However, the latest report supplies additional information based on the IBA studies that show:

- Although the pH is above the WM3 limit, using in vitro methods has shown that the waste is not an irritant / corrosive.
- HP14 ecotoxic compounds are above the threshold, but detailed analysis has speciated the zinc and copper compounds to show that they are generally not present in ecotoxic forms.

On this basis permit condition 3.1.4 has been complied with. However, Viridor's request to reduce assessment frequency to 2-yearly is not supported by the latest report due to the inherent variability in the waste feed which must preclude any longer testing interval than that currently set

## Emissions review

The plant has been operational during the Q3 and Q4 emissions and reporting review period.

An outage during July resulted in one invalid NOx daily average due to a part day following start up.

Note, however, that part 1 of the recently published Data Acquisition and Handling Systems (DAHS) standard BS EN 17255-1:2019 defines a valid daily average as one covered by at least 6 hours of valid short-term averages (STA). In the case of the July start up there were enough valid STAs (7½ hours) and presumably no more than 5 invalid STAs to constitute a valid daily average upon implementation of BS EN 17255-1:2019. The Standard will also affect other aspects of monitoring data processing and reporting. Viridor should start to discuss requirements with their DAHS supplier to ensure that the new standard requirements can be implemented in a reasonable time frame.

**ACTION: Viridor to review DAHS Standard requirements and provide an update on progress at next site visit.**

All emissions and reports other than the specific cases discussed in this report are compliant with the permit limits.

END

## EPR Compliance Assessment Report

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Operator/Permit holder	Viridor Waste Management Ltd	Date	06/12/2019

### 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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### 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.