

Compliance Assessment Report

Report ID:
CAR_NRW0036736

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

Site	Cardiff East Wastewater Treatment Works CHP Facility	Permit Ref	FP3232KG		
Operator/Permit holder	Dwr Cymru Cyfyngedig				
Regime	Installations				
Date of assessment	29/06/2020	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Monitoring and returns				
Lead officer's name	Griffiths, Toby				
Accompanied by					
Recipient's name/position	A Dixon/ Energy Operations Manager	Date issued	29/06/2020		

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	X	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2(a)
	C3	2.4.1
	X	

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	2	Total compliance score (see section 5 for scoring scheme)	4.1
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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

Welsh Water CHP FP3232KG

Annual returns received on 31/01/2020

- Air 1 – results compliant
- Performance 1 – results compliant*

Flare/Waste gas burner

* The result for the flare/waste gas burner operation should be presented as a % of total AD plant operating hours within the Performance 1 report.

Action 1: Please amend the "Performance 1" report to reflect the flare burner operation as a percentage of plant operation.

In addition, there is an outstanding action regarding the performance of the flare in relation to emissions of CO. CAR form issued 10/05/2018 requested as follows:

"Flare monitoring results were received on 7th February 2018. The recorded temperature at 895 C was below the indicative performance threshold of >1000 C. The footnote 3 in Table 3.1, notes that other temperatures may be acceptable if the other ELVs are met. In this case, the CO ELV has been exceeded by a significant amount. This is a permit non-compliance, though given the minimal likely impact, NRW considers this to be a minor non-compliance (Category 3).

ACTION DCWW 1: Please review the performance of the flare, and in particular the minimum temperatures required to achieve the ELVs and whether additional changes are needed to meet the CO ELV and submit a response by 29th June 2018."

(This was later extended by request to 31st August 2018.) Your email of 03/09/2018 suggested that a report on the flare would be completed during November 2018, however NRW has not received the report.

Action 2: Please submit a report on the performance of the flare, including a review of how flare temperature affects CO emissions so that NRW can agree appropriate temperature limits.

Siloxane emissions monitoring (Table S1.3, ref 2)

"Appropriate sampling of the emissions from the Siloxane removal plant (A9) shall be undertaken to allow the operator to carry out an environmental impact assessment of the releases to air from A9. The impact assessment shall use representative release data, obtained through the monitoring exercises, and the H1

tool, or other appropriate assessment method."

Your email of 03/09/2018 suggested that monitoring would be undertaken during November 2018, however NRW has not received the results of this monitoring or the impact assessment. This has been recorded as a non-compliance with Condition 2.4.1 Category 3, Criteria G4. Emissions from the plant are likely to be minimal, however this needs to be confirmed via an assessment.

Action 3: Please provide an update on the current status of the monitoring, impact assessment and associated report for the siloxane plant.

Permit Condition 4.2.2(a)

This is a separate requirement to the "Performance 1" form. It is a review of the performance of the operation of the site over the year, including a review of emissions and any issues encountered. A response for this condition has not been received, following the action in CAR form ref: NRW0035611 of 21/08/2019, and in an email reminder of 13/02/2020. This report should be provided for 2019. This has been recorded as a non-compliance Category 4, Criteria G4.

Action 4: Please provide the report for permit condition 4.2.2(a) for 2019.

Permit Condition 4.2.5

This requires the following to be reported to NRW where the criteria are met:

"[within 1 month of end of quarter].... waste accepted and removed from it during the previous quarter, if during that quarter the total amount accepted exceeds 100 tonnes of non-hazardous waste or 10 tonnes of hazardous waste."

NRW raised a query over this submission of this information. This will be followed up via email and the CAR form will be amended accordingly.

PRTR

There are outstanding queries regarding the submission of data for the Pollutant Release and Transfer Register (PRTR). These are being followed up via email.

Please respond to the Actions by **31st July 2020**.

END

EPR Compliance Assessment Report

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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			
G4	C4	Action 4: Please provide the reports for permit condition 4.2.2(a) for 2019.	31/07/2020
G4	C3	Action 3: Please provide an update on the current status of the monitoring, impact assessment and associated report for the siloxane plant.	31/07/2020
B5	X	Action 2: Please submit a report on the performance of the flare, including a review of how flare temperature affects CO emissions so that NRW can agree appropriate temperature limits.	31/07/2020
G4	X	Action 1: Please amend the "Performance 1" report to reflect the flare burner operation as a percentage of plant operation.	31/07/2020

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. 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.