

Compliance Assessment Report CAR_NRW0037148

Permit being assessed: AB3092CV.

For: Parc Adfer Enery Recovery Facility, held by Parc Adfer Operations Ltd
At: Weighbridge Road, Deeside Industrial Park, Deeside, Flintshire, CH5 2LL.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 23/10/2020 between 10:00 and 13:00.

Parts of permit assessed: Emissions and abatement, improvement conditions 1 - 5, permit variations, plant control and site familiarisation.

NRW Lead Officer: Ian Oakes, accompanied by Rebecca Harwood.

Report sent to: Alan Rhodes, SHEQ Manager on 18/11/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	C4 No impact	3.1.2
E1 - Emissions - Air	C3 Minor	3.1.2
E1 - Emissions - Air	C3 Minor	1.1.1

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

Total number of non-compliances recorded	Total non-compliance score
3	8.1

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
E1	Refer to text	31/12/2020
E1	Refer to text	31/12/2020
E1	Refer to text	31/12/2020

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

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

This Compliance Assessment Report follows a routine inspection of the site undertaken on 23 October 2020 by Regulatory Officers Ian Oakes Senior Specialist and Rebecca Harwood.

1. General Operations

The plant was operational during the visit and is subject to Natural Resources Wales (NRW) Environmental Permit EPR/AB3092CV/v002. The bunker was relatively full as the Operator was stockpiling waste in case deliveries reduced during the two week Covid-19 'firebreak' lockdown.

The site receives domestic waste from North Wales and other semi / light industrial waste from premises such as shops, schools, rejected recycling. The plant is currently operating at the 200,000 tonnes per annum rate and subject to contract with Flintshire County Council.

The Operator reported that no significant issues had been identified following the annual outage in September 2020 and that all parts were found to be in good working order when stripped back to assess.

The site visit complied in full with the Covid-19 restrictions as they applied at the time.

2. Emissions to air

2.1 Carbon Monoxide (CO) Breaches

Between March 2020 and October 2020 there have been 14 minor half hourly breaches (short duration 'spikes') of CO recorded by the Continuous Emissions Monitors (CEMS). These have ranged between 100.90 mg/Nm³ and 371.24 mg/Nm³. The half hourly Emissions Limit Value (ELV) for the facility is 100mg/Nm³. All daily averages have been compliant with the ELV of 50mg/Nm³.

These minor exceedances are a breach of Condition 3.1.2 'The limits given in Schedule 3 shall not be exceeded' and have been consolidated into one CCS4 score.

The Operator is looking at ways to control these breaches which are generally a result of variable waste composition. The automated system runs behind the calculated reading, thus manual intervention by the operatives is required to increase oxygen levels to address the rapid decline in same. The automated control response is being investigated.

A permit variation relating to CO emissions was submitted to NRW on 29 June 2020. It proposes to vary the emission limit and reference period for CO in Table S3.1 from 100mg/m³ as half hourly average to 150mg/m³ as a 10-minute average in line with the Industrial Emissions Directive Annex VI, Part 3. This variation is with the Permitting Team for determination.

Action: Prior to determination 'without prejudice' all CO breaches shall be reported against the existing ELV and the proposed 10-minute average ELV for comparison purposes. Capability to be in place by 31 December 2020.

2.2 Sulphur Dioxide (SO₂) Breach

On 24th October 2020 (after the visit) there was a half hourly breach of 250.83mg/Nm³ of SO₂ against a ELV of 200mg/Nm³. The daily average remained compliant below the ELV of 50mg/Nm³. This exceedance is a breach of Condition 3.1.2 and attracts a CCS3 score.

High calorific value waste was present in the bunker at the time of the breach and being actively mixed with other waste. Lime dosing was adjusted to compensate for increases in SO₂ and the lime screw and pipework were checked at the time. The Operator is reviewing the lime injection performance with the supplier to see if further adjustments can / need to be made.

Action: Continue to monitor trends and take action to minimise future exceedances. Capability to be in place by 31 December 2020.

2.3 Lime spillage (CaO)

On 20th August there was a lime spillage of approximately 200kg during the transfer of lime powder from road tanker to the site lime storage silo located in the Flue Gas Treatment area. Lime from the silo top also fell to roadway below. There was no emission beyond site building and roadway / hardstanding areas.

Remedial activity and a lessons learnt report has been undertaken including reviewing operating procedures, looking at load sensors, retraining operatives and undertaking closer monitoring as deliveries are made.

This is a breach of Condition 1.1 General Management, 1.1.1, and attracts a CCS3 score.

1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and

(b) using sufficient competent persons and resources.

Action: Ensure that all equipment, procedures and training are fit for purpose with respect to bulk deliveries. Capability to be in place by 31 December 2020.

3. Improvement Conditions

Improvement Conditions 1, 2, 3 & 4 are considered to be completed.

Improvement Condition 5 is on track for submission by 19th December 2020.

Improvement Condition 6 is due within 18 months of commissioning, the initial calibration report was received by NRW on 20 March 2020.

4. R1 status

It is acknowledged that the Operators submitted the Year 1 R1 efficiency calculation to NRW on 18 June 2020.

The facility was projected to reach an R1 factor of 0.80, in compliance with the Waste Framework Directive R1 calculation guidance, using the calculation template issued by the Environment Agency. The facility has also been designed to meet an R1 factor of greater than 0.65.

The Year 1 R1 rate is 0.74, calculated using Parc Adfer performance data. To be reviewed by NRW following recruitment in Q4 2020.

5. Permit Variations

The Operator has submitted two minor technical permit variations to NRW relating to CO emissions (submitted June 2020, refer to CO comments) and capacity (submitted September 2020, increasing annual tonnage from 200,000 to 232,000, based on an increased rate from 25 to 29 tonnes per hour). These variations are about to be assigned a determining officer and will be looked at together.

Should the operator wish to work within the limits of these two variations without prejudice to the determinations, they should submit to NRW a written proposal for consideration.

6. Incinerator Bottom Ash (IBA) / Air Pollution Control (APC)

IBA was being correctly stored within the IBA holding bays. The Operator confirmed that IBA is taken to Blue Phoenix (Wirral) where metals are removed, and the product used as aggregate. APC residues are taken to a hazardous waste facility for reprocessing.

7. 2021 Monitoring

Extractive monitoring is currently quarterly, this reduces to biannual after the first year of operation, ie from 2021. The Operator stated that the first extractive monitoring will be undertaken during February / March and the second extractive around August, following the annual shutdown in June. If this outage is moved, then the second extractive monitoring will be in November. NRW has accepted this proposal.

8. BREF review

NRW confirmed that there is a delay to the Waste Incineration BREF review being undertaken. Reg 61 questions are likely to be submitted in April 2021 with the completion of consolidated and reissued permits in November 2022.

9. Start up / shut down procedure

The Operator submitted a proposal to NRW in May 2020 seeking to define the reporting requirements and operating algorithms for stable operation during start-up and shut-down as there is no official definition (subject to the BREF review).

It is suggested that the Operator submit a minor technical variation in parallel with a trial period to define the optimum operational parameters such that the start-up and shut-down

philosophy can be compared with other sites and BREF considerations.

To facilitate the Operator should submit a trial proposal to NRW for agreement to define the operational parameters and permit variation timescale.

10. Site familiarisation / inspection

NRW officers spent time in the control room discussing CO and plant control in general and were shown around the plant and site. All areas were well maintained and no deficiencies were identified.

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	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

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 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

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.