

## Compliance Assessment Report for:

# STANDALONE MEDIUM COMBUSTION PLANT AND SPECIFIED GENERATORS

<b>Permit number</b>	PAN-005141	<b>Operator name</b>	Newbridge Energy Limited
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<b>Site name</b>	Blazer Fuels
<b>Site address</b>	Brickfield Lane, Denbigh Road, Ruthin, Denbighshire, LL15 2TN
<b>Type of assessment</b>	Site inspection

<b>Date of assessment</b>	02/10/20	<b>Time in</b>	11:30	<b>Time out</b>	13:15
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<b>Parts of permit assessed</b>	See below
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<b>NRW Lead officer</b>	Jamie Blythin	<b>Accompanied by</b>	Rebecca Harwood
<b>Report sent to – Name and position</b>	Darren Davies, Director	<b>Date</b>	30/10/20

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
C3 General management – Materials acceptance	C3 Minor	2.3.3
Choose an item.	Choose an item.	
Choose an item.	Choose an item.	
Choose an item.	Choose an item.	
Choose an item.	Choose an item.	
Choose an item.	Choose an item.	

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

<b>Total number of non-compliances recorded</b>
1

## 2. What action is required?

Criteria	Action needed	Complete by
C3- General management – Materials acceptance	1) Send NRW a list of all companies that have deposited virgin woodchip and waste for incineration at the site over the past 6 months (including a description of the waste with EWC codes and examples of completed waste transfer notes.) Send NRW completed waste transfer notes for the compost-like material consisting of waste wood, plant matter and plastics which was stored in the bays at the time of the inspection.	06/11/20
	2) As the site is accepting waste/ fuel other than virgin woodchip, send NRW a copy of your updated waste / fuel acceptance and rejection criteria.	27/11/20
	3) Non-permitted waste needs to be removed from the site and taken to a site authorised to accept it. Send NRW copies of completed waste transfer notes to confirm this has been done.	07/12/20

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 prosecutions 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 any future enforcement response for continued or further non-compliance.**

*And*

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

Officers were met by the company director who accompanied them around the site.

This inspection was carried out in response to reports of dark smoke coming from the site.

Condition 3.2.2 of the permit states 'There must be no persistent emission of *dark smoke* as defined in section 3(1) of the Clean Air Act 1993.'

The methodology for monitoring dark smoke at the site is detailed in the report (R2298E-SGP Reports-RO3-V1- dated 28/01/20) submitted as part of a pre-operational measure (PO1).

Visual inspections of the CHP plant exhaust are undertaken by staff to determine the presence of any visible emissions, other than condensed water vapour. A Ringelmann Chart is used to determine the presence of dark smoke.

Where visible smoke emissions exceed Ringelmann Chart Shade 1 (i.e. Shade 2 and above) during normal operation then further inspection will be undertaken to identify the cause and take corrective action.

At the time of the inspection, there was no plume visible from the plant.

Following the inspection, the operator sent me records for dark smoke monitoring at the site for the period 03/02/20-08/10/20. During this period, there are 5 instances where dark smoke at Shade 1 is recorded. There are no instances where dark smoke has been recorded at a darker shade than Shade 1.

With reference to Environmental Permitting Technical Note 5/1(18)- Reference document for the incineration/ combustion of waste wood- the dark smoke monitoring records provided by the operator indicate compliance with the Emission Limit Value for smoke (Ringelmann Shade 1) at the site.

As specified in the permit (Table S1.1 activities) only the following materials are to be used as fuel for incineration at the site:

Virgin woodchip and untreated waste wood listed in Schedule 2- table S2.1:

EWC 020103- plant tissue waste only

EWC 020107- waste from forestry, untreated wood only.

The site document Environmental Permit Application: Supporting Information (R2298E-R02 V1 March 2019) states '1.2.2- All fuel is virgin woodchip. The woodchip is not classified as waste.'

At the time of the inspection, the storage bays contained woodchip and another dark brown, compost-like waste material which consisted of waste wood, plant matter and

plastics. The latter is not a permitted waste and should not be used as a fuel for incineration.

All fuel is stored in uncovered bays outside.

As the site is accepting fuel other than virgin woodchip, please send me a copy of your updated waste/ fuel acceptance and rejection criteria.

Following the inspection, I have requested information regarding all companies that deposit virgin woodchip and waste at the site (including completed waste transfer notes). I have specifically requested completed waste transfer notes for the compost-like material which consisted of waste wood, plant matter and plastics (non-permitted waste) which was observed during the site inspection.

If NRW does not receive this information by 06/11/20 then it is likely that enforcement notices will be served to obtain this information.

**NRW considers the acceptance and incineration of a non- permitted waste stream a breach of condition 2.3.3 with the potential for a minor environmental impact (C3-CCS3). The operator has received a CCS category 3 score for this breach.**

#### **ACTIONS:**

- 1) Send NRW a list of all companies that have deposited virgin woodchip and waste for incineration at the site over the past 6 months (including a description of the waste with EWC codes and examples of completed waste transfer notes.) Send NRW completed waste transfer notes for the compost-like material consisting of waste wood, plant matter and plastics which was stored in the bays at the time of the inspection.**

**Due date 06/10/20**

- 2) As the site is accepting waste/ fuel other than virgin woodchip, send NRW a copy of your updated waste / fuel acceptance and rejection criteria.**

**Due date 27/11/20**

- 3) Non-permitted waste needs to be removed from the site and taken to a site authorised to accept it. Send NRW copies of completed waste transfer notes to confirm this has been done.**

**Due date 07/12/20**

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

**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](mailto: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](mailto: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.