

## Compliance Assessment Report CAR\_NRW0037546

<b>Permit number</b>	ZP3939GL	<b>Operator name</b>	Western Bio-Energy Limited
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<b>Site name</b>	Western Wood Energy Plant - Margam
<b>Site address</b>	Longlands Lane, Margam, Port Talbot, SA13 2NR
<b>Assessment type</b>	Assessment of monitoring and reporting requirements

<b>Date of assessment</b>	10 February 2021	<b>Time in</b>	N/A	<b>Time out</b>	N/A
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<b>Parts of permit assessed</b>	See section 4
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<b>NRW Lead officer</b>	Guy Baskerville	<b>Accompanied by</b>	N/A
<b>Report sent to – Name and position</b>	Roderic Lerwell	<b>Date</b>	10 February 2021

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment	Assessed or assessed in part (A)	3.5.1(a)
G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales	C4 No environmental impact	4.2.3

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

Total number of non-compliances recorded	Total non-compliance score
1	0.1

### 2. What action is required?

Criteria	Action needed	Complete by
N/A	N/A	N/A

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.

#### 4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter *NRW*) assessment against Western Bio-Energy Limited's (hereafter *Western Bio*) **Q1** [2020] monitoring and reporting requirements. NRW's assessment of Western Bio's monitoring returns data is outside the scope of this CAR and any non-compliance arising from an exceedance of a permitted emission limit will be recorded in a separate CAR.

Condition 4.2.3 of the environmental permit states:

*Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:*

- (a) in respect of the parameters and emission points specified in schedule 5 table S5.1;*
- (b) for the reporting periods specified in schedule 5 table S5.1 and using the forms specified in schedule 5 table S5.4; and*
- (c) giving the information from such results and assessments as may be required by the forms specified in those tables.*

Table S5.1 of Schedule 5 to the environmental permit is partially reproduced below.

Table S5.1 Reporting of monitoring data		
Parameter	Emission or monitoring point/reference	Reporting period
Continuously monitored emissions to air of NO <sub>x</sub> , particulate and CO as required by condition 3.5.1.	A1	Every 3 months

Table S5.4 of Schedule 5 to the environmental permit is partially reproduced below.

Table S5.4 Reporting forms		
Parameter	Reporting format	Date of Form
Air	Form A1(Continuous Monitoring) or other form as agreed in writing by the Agency	01/05/09

The monitoring returns were submitted via email on 21 May 2020

The monitoring returns submission was made outside the reporting window which represents **non-compliance** with the environmental permit.

**As a result of this non-compliance a CCS Score C4 has been recorded against compliance sub-criteria (G)(4).**

The monitoring returns submitted include reporting of monitoring carried out in respect of the parameters and emission points specified in table S5.1 of schedule 5 which represents **compliance** with the environmental permit.

The monitoring returns submitted are for the reporting periods specified in table S5.1 of schedule 5 which represents **compliance** with the environmental permit.

The monitoring returns have been submitted using the forms specified in table S5.4 of schedule 5 which represents **compliance** with the environmental permit.

The monitoring returns submitted include results and assessments as required by the forms specified in table S5.4 of schedule 5 which represents **compliance** with the environmental permit.

Condition 3.5.1(a) of the environmental permit states:

*The operator shall, unless otherwise agreed in writing by the Agency, undertake the monitoring specified in the following tables in schedule 4 to this permit:*

*(a) point source emissions specified in tables S4.1, S4.2 and S4.3.*

Table S4.1 of the environmental permit is partially reproduced below.

<b>Table S4.1 Point source emissions to air from boiler plant – emission limits and monitoring requirements</b>						
<b>Emission point ref &amp; location</b>	<b>Parameter</b>	<b>Source</b>	<b>Limit (including unit)</b>	<b>Reference Period</b>	<b>Monitoring Frequency</b>	<b>Monitoring Method</b>
A1 [Point A1 on site plan in Schedule 2	Oxides of Nitrogen (NO and NO <sub>2</sub> expressed as NO <sub>2</sub> )	Boiler Plant fired on biomass	250 mg/m <sup>3</sup>	95% of validated hourly averages within a calendar year do not exceed 200% of ELV	Continuously	MCERTS
A1 [Point A1 on site plan in Schedule 2	Particulate matter	Boiler Plant fired on biomass	10 mg/m <sup>3</sup>	95% of validated hourly averages within a calendar year do not exceed 200% of ELV	Continuously	MCERTS
A1 [Point A1 on site plan in Schedule 2	Carbon Monoxide	Boiler Plant fired on biomass	250 mg/m <sup>3</sup>	95% of validated hourly averages within a calendar year do not exceed 200% of ELV	Continuously	MCERTS

N.B. Tables S4.2 and S4.3 describe monitoring requirements for point source emissions to water and sewer respectively. There are no reporting requirements associated with these emissions.

The monitoring returns submitted include reporting of monitoring carried out in respect of the parameters and emission points specified in table S4.1 of schedule 4 which represents **compliance** with the environmental permit.

[END]

## 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 in the aspects assessed.
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.