

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

Site	Western Wood Energy Plant	Permit Ref	ZP3939GL		
Operator/Permit holder	Western Bio-Energy Limited				
Regime	Installations				
Date of assessment	31/10/2019	Time in	N/A	Out	N/A
Assessment type	Unknown				
Parts of the permit assessed	2. Operations				
Lead officer's name	Baskerville, Guy				
Accompanied by					
Recipient's name/position	Rod Lerwell/ Chief Executive	Date issued	01/11/2019		

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
A1 - Specified by permit	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.

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

On 07 October 2019, Natural Resources Wales (hereafter NRW) received a letter from Rod Lerwell (Chief Executive, Western Bio-Energy Limited) requesting authorisation for the undertaking of a trial involving the use of alternative fuel feedstocks at the permitted biomass plant in Margam.

At the time the letters were received, the environmental permit which authorised the biomass activities was held by PX Limited rather than Western Bio-Energy Limited. However, since this time the permit has been successfully transferred from PX Limited to Western Bio-Energy Limited.

An excerpt from the letter is duplicated below:

The Western Bio-Energy (WBE) plant at Margam currently utilises feedstock of virgin roundwood timber and Grade A waste wood from a variety of sources. Our long-term contract with NRW for the supply of 60,000tpa of virgin roundwood timber is due to end in March 2020, which will result in a significant feedstock deficit.

To ensure the future operation of the plant, WBE are investigating the use of alternative feedstock materials as suitable substitutes to fill the deficit. These alternative materials are listed in the Appendix 1.

In order to assess the suitability of this alternative material, we would like to run a specific trial as detailed below to assess if the material is a suitable feedstock;

- ***The specific aim is to assess the feedstock mix ratio using this material using a combination of virgin wood, waste wood and the alternative feedstock to achieve optimum combustion;***
- ***Duration of the combustion trial will be up to 5 days maximum (120 hours) following preparation and after notification of commencement to NRW;***
- ***Maximum quantity of alternative material to be trialled is 50 tonnes per day (subject to the mix ratio used);***
- ***The material will undergo preparation through chipping and / or blending in the same way that current feedstock is prepared on site;***
- ***Processing parameters to be monitored throughout the trial***
 - ***Throughput tonnes per hour of alternative feedstock in mix***
 - ***NOx***
 - ***CO***
 - ***Dust***

- *Bottom Ash*
- *Fly ash (APCr)*
- *The permitted ELVs for emissions to air will be monitored throughout the trial to ensure that they are not exceeded;*
- *A breach of the permitted ELVs for emissions to air will result in the trial being halted; and*
- *A review of the trial will be submitted to NRW.*

Appendix 1

Alternative Feedstock Material – EWC 02 01 03

Alternative Feedstock Materials conforming to EWC 02 01 03: wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing – plant-tissue wastes

- *almond shells*
- *grape vine*
- *coconut shells*
- *olive wood*
- *eucalyptus wood*

These materials conform to the IED Article 3 definition 31 of biomass:

(31) ‘biomass’ means any of the following:

(a) products consisting of any vegetable matter from agriculture or forestry which can be used as a fuel for the purpose of recovering its energy content;

(b) the following waste:

- (i) vegetable waste from agriculture and forestry;**

hence, they are exempt from IED Chapter IV requirements.

NRW is content for this trial to proceed subject to the following conditions:

1. NRW must be notified at the commencement of the trial.
2. NRW must be notified at the cessation of the trial.
3. The trial must be completed by 31 March 2020.
4. The trial duration (excluding fuel storage and preparation) is limited to 5 concurrent operational days or 120 concurrent operational hours, whichever is the shorter.
5. Only those alternative fuels listed in Appendix 1 (above) may be used in the trial.
6. A maximum of 50 tonnes (total) of the alternative fuels listed in Appendix 1 (above) may be used in the trial per day.
7. All trial activities, including alternative fuel storage and preparation must take place within the permitted boundary (as set out in Schedule 2 of the environmental permit).
8. The alternative fuels will be segregated from other materials and stored securely by Western Bio-Energy Limited on an impermeable surface with sealed drainage.

9. If, during the trial, any adverse environmental or amenity impacts are detected which can be attributed to the use of the alternative fuels, then the trial must cease immediately.
10. If, during the trial, any breach of a point source emission limit (as set out in Schedule 4 of the environmental permit) is detected, then the trial must cease immediately.
11. If, during the trial, any breach of a point source emission limit (as set out in Schedule 4 of the environmental permit) is detected, NRW must be notified as per conditions 4.3.1 and 4.3.2 of the environmental permit.
12. The Duty of Care for waste applies to all transfers/movements of the alternative fuels to be used in the trial.
13. Any unused alternative fuels left over at the conclusion of the trial must be recovered or disposed of at an appropriately authorised waste management facility.
14. On conclusion of the trial, the findings are reported to NRW.

[ENDS]

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035908**

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Operator/Permit holder	PX Limited	Date	31/10/2019

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.

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. 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.