

Compliance Assessment Report CAR_NRW0037663

Permit being assessed: AB3093CA.

For: Tremorfa Anaerobic Digestion Facility, held by Welsh Water Organic Energy (Cardiff) Limited

At: Tide Fields Road, Tremorfa, Cardiff, CF24 5SB.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 16/02/2021.

Parts of permit assessed: Monitoring

NRW Lead Officer: Geraint Harris.

Report sent to: Siobhan O'Leary-Johns, EHS Manager on 16/02/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

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.

At this time, we do not intend to take any further action.

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

Welsh Water Organic Energy Ltd (Food AD)

Permit ref: EPR/AB3093CA

This CAR Form is a follow on from the previous form CAR_NRW0037169.

During the monitoring of the flare's emissions the temperature of combustion failed to initially reach 1000°C as required by the permit and consequently the measured levels of TVOC and CO were in excess of the ELV's. Following this breach in permit limits associated with the emergency flare use, a Part B of the Schedule 5 notice was requested. This was received on the 10th December 2020. Following this submission, the site was requested to supply further information and followed this up with a virtual meeting and a supporting email. The following questions and answers are as follows:

- **Clarify the technical reasons for the high emissions that you encountered and what has the maintenance/servicing done to rectify the problem?**

From investigation of the incident in 2019, no follow up actions were taken at the time. This was due to the future installation of a boiler which would reduce the requirement of the flare to minimum flare hours a year – well below 10% yearly operating hours.

From the monitoring report provide by ECL there was an issue with the flare temperature – the temperature should be maintained at 1000°C for monitoring – for part of the monitoring time the temperature only reached 850°C. During 2020 the new site manager has been taking action on outstanding issues and has spent time investigating and implementing actions and procedures to improve the running and performance of the plant.

The issue of maintaining flare temperature while in operation was picked up and rectified. The temperature is monitored when the flare is in operation and action is taken if need to ensure full combustion.

- **Maintenance/servicing done to rectify the problem? Do you review maintenance frequencies?**

The maintenance is arranged by DCWW statutory maintenance team and they confirmed - manufactures have recommended a service frequency of 6 month and this frequency was reviewed by the digester safety group and it was agreed that the waste gas burner is a safety critical item of equipment on the digester plant so the frequency continued to be 6 monthly.

Photos and trends of the flare, showing the temperatures from a couple of days last week, were emailed to NRW. The trends show the increase from 850C and then the sustained >1000C since the adjustment. Screenshots of the scada system, were sent to NRW, showing the difference in temp from before the louvers were adjusted and after they had been adjusted.

The impact from this breach is likely minimal as the flare was not in operation for a prolonged period – the operational hours for the flare for 2019 was 284 hrs, and for 2020 to date 358 hrs – less than 10% of the yearly operating hours (876). With the new boiler in place and once the permit has been varied, the use of the flare will be further reduced.

NRW accept this response and now consider this matter closed.

The remaining action from CAR_NRW0037169 is as follows:

Action: Please provide NRW with an update on proposed actions following the review of the odour abatement unit.

End.

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.