

## Compliance Assessment Report for:

# STANDALONE MEDIUM COMBUSTION PLANT AND SPECIFIED GENERATORS

<b>Permit number</b>	PAN005141	<b>Operator name</b>	Newbridge Energy Ltd
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<b>Site name</b>	Newbridge Energy Ltd
<b>Site address</b>	Brickfield Lane, Denbigh Road, Ruthin, Denbighshire, LL15 2TN
<b>Type of assessment</b>	Site inspection

<b>Date of assessment</b>	20.01.21	<b>Time in</b>	13:00	<b>Time out</b>	14:20
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<b>Parts of permit assessed</b>	Site inspection
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<b>NRW Lead officer</b>	Jamie Blythin	<b>Accompanied by</b>	Stuart Ross
<b>Report sent to – Name and position</b>	Peter Mills	<b>Date</b>	07.04.21

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
A1 Specified by permit	C3 Minor	2.1.1
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
A1	Action1- The permit only authorises the operation of one CHP Biomass Boiler. The operation of the second CHP needs to stop immediately.	25.01.21

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. We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

## 4. Details of our assessment

NRW officers were joined by an officer from Denbighshire County Council for this inspection.

Breach of permit condition 2.1.1- The operator is only authorised to carry out the activities specified in schedule 1, table S1.1 (the "activities").

The permit only authorises the operation of one 5.2MWth CHP Biomass Boiler.

During the inspection, officers confirmed that a second CHP Biomass Boiler had recently been put into operation without varying the existing permit to authorise this activity. Both CHP units were operational at the time of the inspection.

NRW considers this a breach of permit condition 2.1.1 (A1-CCS3).

**Action1-** The operation of the second CHP unit is not currently authorised and needs to stop immediately. If you want to operate the second CHP unit, then you must apply to NRW for a variation of the existing permit (**complete by 25.01.21**).

Following this inspection, NRW sent Newbridge Energy Ltd a letter informing them that the operation of the second CHP unit is unlawful and must cease until the relevant permit is in place.

On 22.01.21 the operator confirmed receipt of the above letter and that the second CHP would be taken offline immediately.

NRW officers have been out to the site to confirm that the second CHP is not currently operational.

On 25.01.21, the operator submitted an application to NRW to vary the existing permit to include the operation of a second CHP unit at the site.

NRW considers that the operator has completed **ACTION 1**.

During the inspection, officers observed fuel material for the CHP unit stored in uncovered bays outside. This fuel appeared to consist of chipped/ shredded wood and plant matter. It was raining heavily during the inspection and it is likely that this would have increased the moisture content of the fuel stored uncovered outside.

At the time of the inspection, the operator was responding to an Environmental Permitting (England and Wales) Regulations 2016 Regulation 61(1) Statutory Notice requiring information. This notice was served by NRW on the operator on 08/01/21 and required the operator to provide the requested information by 08/02/21.

This notice required the operator to provide NRW with a range of information including procedures for operation of the CHP, maintenance records and fuel specifications.

The operator submitted information to NRW in response to the R61 notice on 08/02/21.

A separate Compliance Assessment Report (CAR) form will be produced to assess permit compliance in relation to the information provided in response to the R61 notice.


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.