

Compliance Assessment Report CAR_NRW0037888

Permit being assessed: NP3037AF.

For: Connah's Quay Power Station , held by Uniper UK Limited

At: Connah's Quay Power Station Kelsterton Road , Connah's Quay, Flintshire, CH5 4BP.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 23/04/2021.

Parts of permit assessed: Improvement Programme

NRW Lead Officer: Stuart Ross.

Report sent to: Andy Black, Environmental Advisor on 23/04/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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

This Compliance Assessment Report follows a review of your response to Improvement Condition 26 of your Environmental Permit.

Improvement Condition 26:

The operator shall produce and submit a written Black Start Response Plan to Natural Resources Wales, for approval. The plan shall contain an impact assessment demonstrating that there is no significant environmental risk associated with black start operations and:

- propose a methodology for minimisation of environmental impact during such a period of operation; and*
- include the procedure for the notification of black start operation and its duration. The methodology for operation and reporting set out in the report shall be implemented by the Operator from the date of approval by Natural Resources Wales.*

You have submitted your response to this Improvement Condition using a generic modelling exercise including a report that references the AQ impact assessment that was developed by Energy UK.

We currently have a Regulatory Decision (RD) to exclude ELV exceedances during back starts.

If you need to carry out a black start and you need to use the black start RD then you must inform NRW that you have done so via our 24-hour contact number (03000 653000).

You must also confirm that you have used this RD by emailing the NRW Incident Communications Centre (ICC@cyfoethnaturiolcymru.gov.uk), your site inspector and the local regulatory team email account (north.wales.ppc@cyfoethnaturiolcymru.gov.uk) as soon as you can.

This RD only applies where you are unable to comply with Emission Limit Values for emissions to air during Black Start Instructions. "Black Start Instruction" means the instruction given by National Grid ESO control room to providers of black start services, in the event of a partial or total electrical grid system shut down.

You must be able to demonstrate that you have taken all reasonable steps to comply with the Emission Limit Values in your permit by using the methodology described in your Improvement Condition response to minimise emissions during a black start.

The black start RD does not apply to any other activity, even if it is under the same legislation. You will still need to comply with the conditions of other permits or licences for other activities you carry out.

Conditions you must comply with;

- You can exceed the Emission Limit Values for LCPs for oxides of nitrogen and carbon monoxide set out in Table S3.1 of your permit only for as long as you are operating under Black Start Instruction and you record any valid justification for the higher emissions leading to the exceeded ELVs.
- You will still be required to report emissions during the period of operation under Black Start Instruction in accordance with your permit, including data above the ELVs.

- You must send a written report to NRW as soon as you can following operation under this RD. This must include details of the duration of the event, emissions to air and potential impact with reference to the report "Air quality impacts associated with black start operation, ENV/656/2020" written by the Joint Environmental Programme.

- You must comply with all the other requirements of your Environmental Permit. You must keep records that show why you needed to use this black start RD. For example, records of:

- * The Black Start Instruction for the National Grid for the requirement to restart electricity generation
- * staff absences
- * contractors being unavailable
- * supply chain failures

You must keep these records for 24 months after this Black start RD has expired, including any extensions to it. You must make them available to NRW on request.

You must make sure your activities do not endanger human health or the environment.

You must not:

- * cause a risk to water, air (specifically local air quality), soil, plants or animals
- * cause a nuisance through noise or odours
- * adversely affect the countryside or places of special interest

Based on your submission you can implement the methodology for operation and reporting when you used the black start operating mode providing you tell us about any black start ELV breaches in the method outlined above. We will use our general position of scoring any non-compliance with the option to suspend where there are credible mitigations and/or a response plan.

If you have any questions about this email please contact me or my colleague Mark Broom (mark.broom@cyfoethnaturiolcymru.gov.uk).

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.