

## 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>	22/03/21	<b>Time in</b>	10:40	<b>Time out</b>	12:32
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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>	14/05/21

## 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	A - Assessed, no evidence of non-compliance	2.1.1
C4 General management – Storage, handling, labelling and segregation	C3 Minor	2.3.1
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
C4	<b>Action:</b> Provide NRW with the sample results for the fly ash and bottom ash. Provide NRW with your classification and categorization of these wastes in line with Technical Guidance WM3: waste classification-guidance on the classification and assessment of waste, along with recent examples of completed duty of care paperwork for these wastes.	28.05.21

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.**

## 4. Details of our assessment

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

The permitted CHP unit (NB1) was operational and emissions from the stack were barely visible.

The CHP unit was burning a 3:1 fuel mix of woodchips and biomass. The fuel was dry and friable.

Fuel stocks were stored outside within uncovered bays.

To produce the fuel mix which is used in the CHP unit, woodchips and biomass are mixed by a JCB in a ratio of 3:1. This mix is then stored undercover within the fuel reception area for NB4 (not currently operational). The moisture content of this fuel mix is monitored by staff using a probe to ensure it meets the CHP manufacturer's recommendations.

The fuel mixing process is outlined in the document produced by the operator 'Standard Operating Procedure BFLSP-SW-010-001 Product acceptance and CHP fuel mixing.'

Bottom Ash and fly-ash wastes are produced from the combustion of fuel in the CHP unit.

At the time of the inspection, bottom ash and fly-ash wastes were stored uncovered on the ground on an area of hardstanding located in the south-east area of the site. The two waste streams were stored without containment and it is likely that mixing of the two separate waste streams has occurred. This issue was discussed with site staff as a potential pollution risk during the inspection.

Breach of permit condition 2.3.1- Table S1.2 (a)- Environmental Permitting Technical Note 5/1(18), Final Draft dated 15/08/18- S4.10.3.

Condition 2.3.1 states 'The activities shall, subject to the conditions of the permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by Natural Resources Wales.'

Table S1.2 Operating techniques for schedule 1 Ch5 5.1 Part B and specified Generators states '(a) Unless otherwise agreed in writing, the small waste incinerator plant must comply with the requirements of Environmental Permitting Technical Note 5/1(18), Final Draft, dated 18/08/18 which will serve as statutory guidance under Regulation 65(1) of the Environmental Permitting Regulations 2016 once finalised.'

Environmental Permitting Technical Note 5/1(18), Final Draft dated 15/08/18 S4.10.3 states 'Bottom ash should be stored and disposed of in a manner to prevent the escape of dusty waste, i.e. in covered containers, purpose-built silos or undercover.'

NRW considers the operator to have breached permit condition 2.3.1 in relation to Table S1.2 (a) (C4-CCS3).

Following the site inspection, bottom ash and fly ash were stored in separate sheeted skips on concrete hard standing. Samples of both waste streams have been sent for analysis by the operator.

**Action:** Provide NRW with the sample results for the fly ash and bottom ash. Provide NRW with your classification and categorization of these wastes in line with Technical guidance WM3: waste classification-guidance on the classification and assessment of waste, along with recent examples of completed duty of care paperwork for these wastes.

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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.