

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

Site	Cardiff CHP Facility EPR/FP3232KG/V002	Permit Ref	FP3232KG		
Operator/ Permit holder	Dwr Cymru Cyfyngedig (Welsh Water)				
Date	10/05/2018	Time in		Out	
What parts of the permit were assessed	See main text				
Assessment		EPR Activity:	Installation: X	Waste Op:	Water Discharge:
Recipient's name/position	Andrew Dixon / Luis Priegue				
Officer's name	Toby Griffiths	Date issued	10/05/2018		

**Section 1 - Compliance Assessment Summary**

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
<b>a) Permitted activities</b>	1. Specified by permit	A	
<b>b) Infrastructure</b>	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
<b>c) General management</b>	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
<b>d) Incident management</b>	1. Site security	N	
	2. Accident, emergency & incident planning	N	
<b>e) Emissions</b>	1. Air	C3	3.1.2
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
<b>f) Amenity</b>	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
<b>g) Monitoring and records, maintenance and reporting</b>	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	A	
<b>h) Resource efficiency</b>	1. Efficient use of raw materials	N	
	2. Energy	N	

**KEY: C1, C2, C3, C4 = CCS breach category (\* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored**

<b>Number of breaches recorded</b>	0	<b>Total compliance score</b> (see section 5 for scoring scheme)	4
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**If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

### Recent reports, Annual returns etc.

Responses to CAR form of 7<sup>th</sup> February 2018:

#### Ref Action 1: Results for A7 (flare) as required by Table 3.1.

[the extended operation of the flare was in part due to the breakdown of an alternator on CHP number 2 engine. This resulted in a Part B notification mentioned in the previous CAR form.]

Flare monitoring results were received on 7<sup>th</sup> February 2018. The recorded temperature at 895 °C was below the indicative performance threshold of >1000 °C. The footnote 3 in Table 3.1, notes that other temperatures may be acceptable if the other ELVs are met. In this case, the CO ELV has been exceeded by a significant amount. This is a permit non-compliance, though given the minimal likely impact, NRW considers this to be a minor non-compliance (Category 3).

**ACTION DCWW 1:** Please review the performance of the flare, and in particular the minimum temperatures required to achieve the ELVs and whether additional changes are needed to meet the CO ELV and submit a response by **29<sup>th</sup> June 2018.**

#### Ref Action 2: Process monitoring as required by Table S3.4

Confirmation of the process monitoring arrangements were received on the 7<sup>th</sup> February 2018. These meet the permit conditions. However, the frequency and standards used will be reviewed by NRW in due course.

#### Ref Action 3: Pre-operational conditions as required by Table S1.3

Initial information was received as part of the permit variation process in 2012. However, there has not been subsequent confirmation that the measures are in place. For example, the initial O&M documentation (Pre-operational measure 1) by PpTek may now have been combined into DCWW documentation and updated. Secondly, Pre-operational measure 2, required a report on the performance of the siloxane removal plant following a period of operation. This included using emissions monitoring from A9 to conduct an impact assessment. NRW is not aware that this report was received.

**ACTION DCWW 2:** Please provide an update to Pre-operational conditions 1 and 2 by **29<sup>th</sup> June 2018.**

#### **Annual reports for:**

2015, received on 1<sup>st</sup> April 2016 – compliant


2016, received on 25<sup>th</sup> January 2017 – compliant

2017, received on 23<sup>rd</sup> March 2018 – compliant (following amendment to correct ELV for CO.)

#### **OPRA**

It is understood that DCWW are reviewing the OPRA profile, however NRW has not yet received an updated profile.

**ACTION DCWW3:** Please provide an updated OPRA profile by **29<sup>th</sup> June 2018.**

	<b>EPR Compliance Assessment Report</b>	Report ID: FP3232KG/20180510
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Operator/ Permit	Dwr Cymru Cyfyngedig (Welsh Water)	Date	10/05/2018

**Section 3- Enforcement Response** **Only one of the boxes below should be ticked**

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	X
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

**Section 4- Action(s)**

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
E1	C3	Please respond to the actions in the main text	29 <sup>th</sup> June 2018

## 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 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 which could have a <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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](mailto: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.