

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

Site	Docksway Generation Plant EPR/LP3135SB/V003	Permit Ref	LP3135SB		
Operator/Permit holder	Novera Energy Generation No 2 Limited				
Regime	Installations				
Date of assessment	07/10/2016	Time in	12:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	EMS				
Lead officer's name	Willey, David				
Accompanied by	Ward, Tyrone				
Recipient's name/position	Su Ruthven/ Compliance engineer	Date issued	31/10/2016		

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
<b>KEY:</b> See Section 5 for breach categories, suspended scores will be indicated as such. <b>A</b> = Assessed or assessed in part (no evidence of non-compliance), <b>X</b> = Action only, <b>O</b> = Ongoing non-compliance, not scored.		

<b>Number of breaches recorded</b>	<b>0</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>0</b>
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**If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

### **Docksway site visit – 7<sup>th</sup> October 2016**

A visit was carried out on the 7<sup>th</sup> October of the INFINIS gas compound following an inspection of the Area 2 active landfill site.

The site in general was well managed with good housekeeping in operation.

### **Annual objectives and targets**

In line with condition 4.1.5 NRW have received the sites objectives and targets for 2015/16 with targets that have not been met highlighted. The targets and objectives reflect the company nationally and should, where applicable, focus on the permitted site to demonstrate ongoing compliance at the Docksway Site. Now that the landfill site accepts asbestos there may be risk assessments that need revising in line with objective 2.

The proposed objectives and targets for 2016/17 were also submitted. It should be noted that exceedances of trigger levels associated with the landfill permit are sent to NCC as they are the permit holders. NRW contact NCC with regard to odour complaints associated with landfill gas and recently undertook an analysis of gas extraction on site that led to a number of breaches of the NCC permit. Some of these exceedances could be a result of issues with the gas infrastructure maintained by INFINIS but under the permit held by NCC. Does INFINIS take these exceedances into consideration?

*The following text has been taken from the CAR Form for the permit EPR/DP3733BK for Docksway Landfill and has been duplicated here where there are actions associated with INFINIS.*

### **Gas wells**

Following the site inspection on the 13<sup>th</sup> June 2016 a number of issues were detected in area 2 cell 1 with regard to gas extraction. The submitted report from Infinis, (Infinis Energy Services Ltd., Docks Way Landfill Site, Retro Drilling of Gas Wells, Construction Quality Assurance Plan, September 2016), provides details of the gas extraction wells to be drilled to ensure better extraction and mitigate fugitive releases and the potential for odour impact off site.

## **Gas extraction**

An inspection of Cell 1 within Area 2 where high fugitive emissions recorded was undertaken. Infinis detailed that during filling and raising of well headworks the slotted sections are now only targeting gas at depth, and that mid and surface emissions have poor collection due to extended plain pipe-work. As a result, a CQAP has been provided for 6 re-drills which will greatly improve gas collection efficiency. It is anticipated these will be installed at the end of this October. NRW officers to avoid cell 1 until works have been completed.

NCC and Infinis are working closely so that extraction is maximised during these works, and that the pin wells will be retained where possible.

Following capping of cell 1 upper flanks, it will be straightforward to supplement with new pins (odour control) if required. NRW discussed pipe-work falls to the gas collection main post-works.

**Action:** NCC/Infinis to provide last 6 months Balancing and Compound data for analysis.

**END**

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0026551**

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Operator/Permit holder	Novera Energy Generation No 2 Limited	Date	07/10/2016

### Section 3 – Enforcement Response

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.

### Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

## 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 verbally or 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 that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no 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 fulfil 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 (eg. 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 its service
- Freedom of Information Act/Environmental 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 fifteen 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 officer's line managers using the informal appeals procedure. 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.

#### Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.