

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

Site	Llanwern Hydrogen Plant EPR/BL2459IC	Permit Ref	BL2459IC		
Operator/Permit holder	Air Products (BR) Limited				
Regime	Installations				
Date of assessment	28/03/2017	Time in	09:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Monitoring, emissions, efficiency				
Lead officer's name	Leakey, Antony				
Accompanied by					
Recipient's name/position	T C Ryan/ Site Manager	Date issued	14/06/2017		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	
H1 - Resource Efficiency - Efficient use of raw materials	A	
H2 - Resource Efficiency - Energy efficiency	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
------------------------------------	----------	---	----------

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

Air Products (BR) Limited Site Visit Report

Site visit – 28/3/17

Operator monitoring audits were undertaken for air and water emissions. Scores have improved since the last OMAs in 2013 and the use of MCERTS and UKAS accredited contractors for monitoring provides confidence in reported ELV compliance.

Air OMA overall score: 82%

Water OMA overall score: 77%

Areas for potential further improvement for air emissions are to consider use of second sampling port, examination of sample line length implications and detailed audit of contractors against the site-specific protocol.

For water emissions consideration should be given to review of analytical methods, sample preservation and audit of these aspects.

Detailed OMA reports have been provided separately.

Permit condition 2.7.2 – Energy efficiency review

The updates and continuing reduced output operation are noted. Inclusion of year-to-year trends for energy consumption and efficiency would be beneficial for future reports. Please confirm that Table 2 refers to 2016 performance rather than 2015.

ACTION: Air Products to confirm 2016 data included and provide an update if necessary.

Permit condition 4.1.3 – BAT review

The review and current plant performance is noted. The availability of improved performance reformer furnace burners and the position that upgrading is not currently justified should be kept under review. The exact timing of the next formal permit review under IED/EPR16 remains uncertain (please see attached presentation setting out the current status of chemical sector BAT Reference Notes and related permit review timescales). However, replacement of the burner with a low NO_x type may be required within 4 years of a future review date unless replacement has already become necessary.

In light of the expected need to formally review the permit within the next few years, further BAT reviews in accordance with permit condition 4.1.3 are not considered to be necessary unless significant changes in plant performance dictate otherwise.

Site condition report requirements are now set by the IED requirement for 5 yearly groundwater and 10 yearly soil testing unless a risk assessment determines the need for alternative testing frequency. Ongoing assessment of site containment infrastructure and its maintenance is critical

to allowing continued operation without periodic testing of groundwater and soils. **These aspects will be reviewed at a future site inspection.**

Permit condition 4.1.4 – EMS review

As noted previously the EMS objectives should include future requirements including the need to plan and prepare for the IED permit review discussed above.

An overview of plant performance KPIs relating to energy use and emissions would also be beneficial when updating the response to this permit condition in future.

Permit condition 4.1.5 – Fugitive emissions review

The adoption of the KPI visualisation tool to support real time plant efficiency monitoring is noted and this aspect of operation was witnessed during the site inspection on 28/3/17.

Reporting of quantified headline venting quantities, e.g. purge gas and steam in future reports is recommended.

Monitoring returns and notification review

All emissions are within permit limits and there are no current trends that require review.

END

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0031757**

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

Site	Llanwern Hydrogen Plant EPR/BL2459IC	Permit Ref	BL2459IC
Operator/Permit holder	Air Products (BR) Limited	Date	28/03/2017

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. 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.