

Mr Huw Brunt  
Lead Consultant in Environmental Health  
Protection (Public Health Wales)  
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**Our ref: PAN - 001181**

**Date:** 6<sup>th</sup> March 2017

Dear Mr Brunt

**Consultation Position sought on Natural Resources Wales Initiated Variation  
for Aberthaw Power Station**

**Application reference: EPR/RP3133LD/V013**

**Operator: RWE Generation UK plc**

**Facility: Aberthaw Power Station, The Leys, Aberthaw, Near Barry, Vale of  
Glamorgan, CF62 4ZW.**

Natural Resources Wales is required to review and vary the environmental permit for RWE Generation UK plc (Aberthaw Power Station) following the Court of Justice of the European Union (CJEU) judgement on the 21st September 2016. Following the CJEU judgement, the extant environmental permit for Aberthaw Power Station no longer delivers EU law, or domestic provisions under the Environmental Permitting (England & Wales) Regulations 2016 (EPR 2016). Specifically these are the requirements under Schedule 15, paragraph 3(d) of EPR 2016 and its reference to Article 32(2) of the Industrial Emissions Directive (IED).

In order to meet these requirements, Natural Resources Wales intends to vary the environmental permit to significantly reduce oxides of nitrogen (NO and NO<sub>2</sub> expressed as NO<sub>2</sub>) (NO<sub>x</sub>) emission limit values (ELV). More specifically, the calendar monthly mean NO<sub>x</sub> ELV will be reduced by approximately 52% from 1050 mg/m<sup>3</sup> to 500 mg/m<sup>3</sup> and the 95% of Validated Daily Means within a Calendar Year NO<sub>x</sub> ELV will be reduced by approximately 44% from 1080 mg/m<sup>3</sup> to 605 mg/m<sup>3</sup>. On this basis, we consider that the change will result in a net benefit, both in terms of nearby human populations and sensitive ecological receptors.

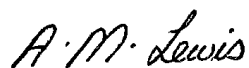
We will also be removing the 33,000 tonne annual emission limit for oxides of nitrogen. This was previously retained for the protection of ecological habitats. However we consider that this emission limit is no longer required, as protection is now provided in the form of the significantly tightened concentration based ELVs described above and also the Transition National Plan (TNP) mass emission allocation cap.

As such, the Natural Resources Wales opinion is that formal consultation with Cardiff and Vale University Health Board and Public Health Wales is not required based on the reducing risk to the human population. However, I would be very grateful if you could confirm whether or not you are in agreement with this approach by 20<sup>th</sup> March 2017.

You can email [anna.lewis@naturalresourceswales.gov.uk](mailto:anna.lewis@naturalresourceswales.gov.uk) or write to me at Natural Resources Wales, Cambria House, 29 Newport Road, Cardiff, CF24 0TP.

If you have any questions about this letter please phone me on 03000 654358 or email me at the address above.

Yours sincerely,



**Anna Lewis**  
Principal Permitting Officer

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[www.naturalresourceswales.gov.uk](http://www.naturalresourceswales.gov.uk)

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg  
Correspondence welcomed in Welsh and English