

Compliance Assessment Report

Report ID:
CAR_NRW0026707

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

Site	Barry CHP EPR/JP3632ZH	Permit Ref	JP3632ZH		
Operator/Permit holder	Industrial Energy Services Limited				
Regime	Installations				
Date of assessment	10/11/2016	Time in	10:00	Out	12:30
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Improvement Condition, Emission limits, Permit variation				
Lead officer's name	Griffiths, Toby				
Accompanied by	Leakey, Antony				
Recipient's name/position	Hiram Mullan / Operations Manager	Date issued	28/11/2016		

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
E1 - Emissions - Air	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	
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
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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

Annual Surveillance Test 2015

NRW audited the report and a response was received from the contractor on 11th November 2016. This is now complete. The AST for 2016 has now been received and will be reviewed in due course.

Meeting of 10th November 2016 (with Dow Corning)

Items discussed:

- Variation for name change – application needs to be amended to be accepted.
- The Greenhouse gas permit needs to be transferred.
- An Operator Monitoring Assessment audit will be conducted within the next 6 months. NRW will inform the site in advance to allow for the necessary preparation.

ELVs

The current ELV for CO at emissions point A2 is 110mg/m³ (daily mean) at 3% oxygen which is in line with the IED requirements. The Transitional National Plan (TNP) is in relation to NO_x rather than CO, and imposes a fixed cap based on mass emissions.

The demonstration of gas turbine efficiency will be on the basis of the GT and HRSG in combination. The BREF (and IED Chapter III) refers to a >75% efficiency for CHP plants, with the potential to modify the ELV for NO_x.

The Large Combustion Plant BREF will instigate the next permit review, which is likely to be within the next 18 months or so, following the publishing of the BAT conclusions. Operators will have 4 years to meet any new requirements. It is likely that the Dow CHP will be led by the LCP BREF, rather than the Chemicals BREF as previously. This will ensure that the CHP permit requirements are consistent with other combustion plants within the sector.

The refurbishment of the existing two GTs was discussed, and they are likely to receive new cores in 2019 and 2021 at significant cost. The option of grouping the GT stacks for compliance purposes was discussed.

A2 (HP Boiler)

Engie have confirmed that emissions from A2 are being reported at 3% oxygen as required. Evidence to show this is being compiled and will be forwarded to NRW.

Improvement Condition IC5

Engie / Dow are looking at options for modifying the HP Boiler (A2). A report for Improvement Condition IC5 has been provided, which details burner modifications and exhaust gas recirculation to reduce NO_x and CO. Another option being investigated is the addition of a gas turbine, turning the HP boiler into a HRSG. This would increase the overall thermal input of the CHP, but would also increase the efficiency. Dow and Engie are deciding on which option to implement.

The addition of a new GT may be considered “New Plant” (under IED) which would need to meet new plant standards from commissioning. However, emissions from this one unit may then be removed from the overall TNP cap. Engie will be required to demonstrate the improvements in efficiency and emissions standards offered by the chosen option. In addition, NRW takes the view that the new GT in combination with the re-cores of the existing GTs would constitute “substantial refurbishment” and should collectively be subject to a Cost Benefit Analysis (CBA) exercise under the Energy Efficiency Directive.

Given the need to complete an options appraisal for the HP boiler options, the response to Improvement condition IC5 has been extended to **30th June 2017**.

EPR Compliance Assessment Report

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Operator/Permit holder	Industrial Energy Services Limited	Date	10/11/2016

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.

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.

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.