

Compliance Assessment Report

Report ID:
CAR_NRW0032929

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

Site	Barry CHP	Permit Ref	JP3632ZH		
Operator/Permit holder	Engie FM Ltd				
Regime	Installations				
Date of assessment	15/02/2018	Time in	10:00	Out	13:30
Assessment type	Audit				
Parts of the permit assessed	Monitoring				
Lead officer's name	Griffiths, Toby				
Accompanied by	Andy Collins,Neil Davies				
Recipient's name/position	Paul Searle/ Operations Engineer	Date issued	21/02/2018		

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
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
E1 - Emissions - Air	A	
	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4	3.5.1
	X	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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

OMA Audit of 15th February 2018

Summary Observations and Recommendations

OMA1A It is recommended that Engie update their documented procedures to reflect QAL3 requirements (i.e. on-going calibration of CEMs).

OMA1B It is recommended that Engie put documented provisions in place for a deputy to take responsibilities for the management of monitoring to ensure business continuity. It is also recommended that procedure EMS-009 is updated to reflect environmental responsibilities in relating to monitoring requirements of emissions to air from the permit. Most documents will need to be updated once Dow operations take over.

OMA1C Some of the QAL 3 charts had missing data. This should be rectified.

OMA1D It is recommended that Engie put documented procedures in place for reviewing monitoring data (periodic and continuous) to increase confidence in data validation process, and ensure emissions are minimised.

OMA1E Some additional monitoring training would be beneficial for Engie staff involved in monitoring management (even if they have done it previously, as a refresher, particularly as standards & guidance relating to monitoring emissions to air are constantly evolving). The Source Testing Association (<http://www.s-t-a.org/training/>) holds relevant one day training courses for operators including:

- Regulatory Monitoring Requirements for Process Operators
- BS EN14181 quality assurance of an AMS (CEM)

It would be beneficial for staff involved in monitoring to attend either one or both of these courses before the next OMA.

OMA2F Engie are to undertake 6 monthly (rather than annual) monitoring (or calculation) as required by the permit for A4 and A5.

OMA3C It is recommended that gas calibration cylinders with lower calibration gas concentrations are used for QAL3 purposes (on-going calibration) once the NOx ELV's change on A1-A3. Currently the gas cylinders have a concentration of 200ppm – in the future a certified concentration of 100ppm would be more tailored to the future NOx permit limits and emission levels.

OMA3F An improved breakdown contract with LAND Instruments International would result in a higher score for this Element.

OMA4B It is recommended that thorough formal documented procedures are put in place for internal data quality control. This will increase confidence in data validity and reported results. Any omissions from QAL3 should be justified and where tests have been omitted, details of reason logged and new test rescheduled. This should be clear in related management procedures for QAL3.

OMA4D & E It is recommended that the Operator should ensure that it carries out documented auditing of monitoring (on-site and paperwork including procedures/reports) at a specified time interval, whilst noting any corrective actions from the audit. This will ensure correct practice is being followed in the process, help identify any gaps, and ensure better self-regulation and confidence in the monitoring process and results.

A useful audit tool for auditing stack emissions monitoring (and the associated paperwork) is the Environment Agency's "audit form for stack emissions monitoring". This can be downloaded from the Source Testing Association (technical air emissions monitoring trade association) at the following website location: <http://www.s-t-a.org/?page=regulation>

OMA4F Engie are to submit 6 monthly (rather than annual) monitoring reports as required by the permit for A4 and A5.

Permit Non-Compliance, 3.5.1

Prior to the IED permit variation, the permit required annual periodic monitoring for A4 and A5. The new permit requires 6-monthly monitoring. One of the 6 monthly results can be based on calculation if agreed with NRW. Please provide further details of the variability of emissions and proposals to calculate emissions based on factors such as fuel usage / load. The requirements were previously requested in CAR ref CAR_NRW0032696. A minor non-compliance has been recorded.

Improvement Conditions, Table S1.3

Further to Improvement Condition IC4 regarding Start-up and Shut-down, the criteria agreed in the email of 16th February 2018 (copy below) now replace the criteria in Table S1.4 of the permit. The remaining conditions IC5, IC6 are already complete. IC4 is complete, although the criteria will need to be reviewed during the BREF process and following the GT upgrade work.

Table S1.5 Start-up and Shut-down thresholds

Emission Point and Unit Reference	"Minimum start up load" discrete processes*	"Minimum shut-down load" discrete processes*
A1 and A3 LCP60 - gas turbines 1A and 1B in turbine exhaust gas (TEG) mode	Shaft speed >95% and/or Generator breaker CLOSED; and/or By-pass damper OPEN to boiler	Shaft speed <95% and/or Generator breaker OPEN; and/or By-pass damper CLOSED to boiler
A1 and A3 LCP60 - gas turbines 1A and 1B in supplementary-firing (SF) mode	Shaft speed >95% and/or Generator breaker CLOSED; and/or Boiler steam flow rate >32 tonnes/hour	Shaft speed <95% and/or Generator breaker OPEN; and/or Boiler steam flow rate <32 tonnes/hour
A1, A2 and A3 LCP60 – boilers HRSG-001A, HP boiler and HRSG-001B in auxiliary-firing/fresh/ambient air/forced draft (FD) mode	Flame ON/fuel valves OPEN and/or Steam outlet valve OPEN/vent valve CLOSED; and/or Boiler steam flow rate >25 tonnes/hour	Flame OFF/fuel valves CLOSED and/or Steam outlet valve CLOSED/vent valve OPEN; and/or Boiler steam flow rate <25 tonnes/hour

END.

EPR Compliance Assessment Report

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Operator/Permit holder	Engie FM Ltd	Date	15/02/2018

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.

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.

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			
G1	C4	Please commence reporting the periodic emissions monitoring results from A4 and A5. Results may be based on calculation if agreed with NRW.	27/07/2018
G1	X	Please refer to action 4 in CAR ref: CAR_NRW0032696	30/03/2018

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 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.