

Compliance Assessment Report

Report ID:
CAR_NRW0034474

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

Site	Point Of Ayr Gas Terminal	Permit Ref	DP3934EW		
Operator/Permit holder	Eni UK Ltd				
Regime	Installations				
Date of assessment	31/12/2018	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Routine Monitoring Returns & Notifications				
Lead officer's name	Ross, Stuart				
Accompanied by					
Recipient's name/position	Catherine Jones/ Senior Environmental Advisor	Date issued	08/02/2019		

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	C3	3.1.2
	C3	3.1.2
	C3	3.1.2
E3 - Emissions - Surface water	C3	3.1.2
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	

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	4	Total compliance score (see section 5 for scoring scheme)	16
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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

This Compliance Assessment Report follows a review of routine emissions monitoring data and Schedule 6 notifications for 2018.

This report includes a number of actions - unless otherwise specified please complete these by 28/02/19.

1. Emissions to Surface Water (Emission Point W1)

Emissions were compliant throughout the monitoring period with the exception of a single BOD exceedance 16/07/18. (Part A and B notifications received as required).

Result 18 mg/l (emission limit value 15 mg/l)

Breach of permit condition 3.1.2 with potential for minor environmental impact (CCS3)

The Part B notification comments on the sample analysis having been completed by a UKAS accredited laboratory opposed to using in house test methods. If there is no evidence to suggest that the sample analysis was unreliable this does not explain why the emission limit was exceeded.

ACTION 1 - Provide NRW with your root cause analysis as to why the BOD emission limit was exceeded and what steps have been taken to prevent a recurrence.

2. Emissions to Air

Emission Point A1 (Continuous Monitoring)

During Quarter 2 (April – June) the following emission limit exceedances occurred for which Schedule 6 (Part A and B) notifications were received.

1. 25/04/18 (16:50) Sulphur Dioxide Peak Emission 1000mg/Nm3 (Emission Limit Value 190 mg/Nm3)

ENI report that this emission limit breach occurred following plant start up until the Tail Gas Unit wet section was brought on line. This is a breach of permit condition 3.1.2 with potential for minor environmental impact (CCS3)

2. 30/04/18 (09:22) Sulphur Dioxide hourly average emission 640mg/Nm3 (Emission Limit Value 190 mg/Nm3)

Following a plant start up the Rich Solvent Filters became blocked and amine circulation was stopped. This resulted in the tail gas being re-routed away from the TGU wet section. After changing several sets of Rich Solvent Filters the TGU wet section was brought back into service the same day and emissions returned to compliance.

This is a breach of permit condition 3.1.2 with potential for minor environmental impact (CCS3)

ACTION 2 – Provide NRW with your root cause analysis as to why the filters became blocked and what steps have been taken to prevent a recurrence.

3. 13/06/18 – Sulphur Dioxide hourly average emission 950mg/Nm3 (Emission Limit Value 190 mg/Nm3)

The wet section of the tail gas unit was taken off line for the replacement of the plates on the lean/rich exchanger that was fouled. This led to an elevated emission.

This is a breach of permit condition 3.1.2 with potential for minor environmental impact (CCS3)

Emission Points A2 – A4 (Periodic Monitoring)

Annual emissions monitoring has been completed for emission point A1 and A2 as required – emissions compliant with permitted limits.

Following the issue of permit variation EPR/DP3934EW/V003 as issued 26/10/18, additional annual periodic monitoring requirements are now in place for emission points A2, A3 and A4. This monitoring must be completed before 26/10/19 and reported as part of your annual emissions monitoring report due 28 January 2020.

ACTION 3 – Following correspondence with ENI it is noted that, for the purposes of completing the annual emissions reporting

form, ENI is reporting the maximum instantaneous SO₂ value obtained from the continuous emissions monitor. This is incorrect and only the maximum hourly average shall be reported (we do not require instantaneous values). Refer foot note 1 on the reporting form.

Also, for the purposes of notifying NRW in accordance with permit condition 4.3.1 (Schedule 6 Notifications), and in the event of an emission limit exceedance, the average hourly value shall be reported for each and every hour that the emission limit value has been exceeded, you must not average hourly data and provide a single value.

Please implement this action with immediate effect.

3. Continuous Emissions Monitoring System (Emission Point A1 – Thermal Oxidiser)

Schedule 6 notifications were received reporting the following malfunctions of the CEM.

06/01/18 - malfunction of the continuous emissions monitor reported from 13:51 to 15:11 reportedly due to abnormally low temperatures in the sampling cabinet. Remedial measures taken to return analyser into service. Emission values prior to and following the fault were within the Emission Limit Value.

27/01/18 – malfunction of the continuous emissions monitor reported from 13:51 to 15:11 reportedly due to the failure of the analyser lamp which was subsequently replaced by a site technician. Remedial measures taken. Emission values were within the Emission Limit Value.

23/05/18 – Leaking SO₂ calibration gas solenoid valve detected and subsequently replaced. Emissions within Emission Limit Values.

4. Other Reports

Water and energy usage data reported for 2018 – thank you.

EPR Compliance Assessment Report

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Operator/Permit holder	Eni UK Ltd	Date	31/12/2018

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			
E1	C3	Refer Details Section	28/02/2019
E1	C3	Refer Details Section	28/02/2019
E1	C3	Refer Details Section	28/02/2019
E3	C3	Refer Details Section	28/02/2019

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.