

Compliance Assessment Report

Report ID:
CAR_NRW0033853

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

Site	Bryn Power AD Facility	Permit Ref	AB3092ZE		
Operator/Permit holder	Bryn Power Limited				
Regime	Installations				
Date of assessment	16/08/2018	Time in	09:30	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	All				
Lead officer's name	Richards, Gareth (Rivers House)				
Accompanied by					
Recipient's name/position	Jen Price/ Environment Manager	Date issued	24/08/2018		

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
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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

The site visit was arranged primarily for familiarisation purposes following a change in inspector.

Weather conditions were dry and cloudy. There had been heavy overnight rain.

Site inspection

The site tour was hosted by Jen Price. The reception area was in a reasonable condition. The automated roller shutter doors were fully functional. As these are important for minimising odour releases the availability of spares was queried. The doors are maintained by a local contractor who hold a good stock of spares, urgent repairs should therefore be able to be completed without delay. A small quantity of waste was in the reception bunker, there was a slight odour and a small number of flies. There was a pile of macerator reject material (primarily household food waste bags) in a separate silo, this is sent for incineration at regular intervals. Flies are not a major issue but control measures were in use and additional methods were under consideration for use. The proposed modifications to the reception area were described. Permission to complete the work had been requested from the Animal and Plant Health Authority and was awaited (verbal approval received subsequent to the site visit).

Both gas engines were in use, there were no observable releases from the stacks. The engines are serviced on a regular basis by a contractor. Noise levels were as expected for close proximity to such engines. The AD process was described in detail. It is noteworthy that the installation incorporates a single digestion tank and a single gas storage tank in contrast to the permit Site Plan that indicates two of each tank. There is an u/g transfer pipe for slurry from the adjacent dairy unit. Modifications have been made to the plant since initial construction, this included a heat exchanger to improve AD temperature control. The control room was visited. The control panel doors had been left open and a fan was in use to maintain air flow. It was noted that there had been a fire at another AD plant that was believed to be caused by overheating of control panels, hence the additional precautions especially during the summer. **Recommendation (1):** To minimise the risk of potential fire consideration should be given to dedicated cooling/air conditioning for this room. It was not noticed what fire prevention methods were installed but it would be good practise to check these remain sufficient, in view of the perceived risk for the area.

The SCADA control system was described in detail. Most of the system operated under automatic control, some aspects required manual intervention. The control room was not manned on a permanent basis. Any alarms are sent to JP's mobile phone. Access to the control room was not restricted, Security arrangements were therefore queried. **Recommendation (2):** In the event of any security breach that resulted in disruption to the operation of the installation and a consequent permit non-compliance, then the Operator would be held fully responsible. On this basis Bryn Power should ensure their security provision remains adequate.

The lagoon area was viewed from an adjacent bank of wood chip. The current digestate liquor inventory was very low. Air bubbles were apparent, due to the bulging cover, multiple vent pipes were also clearly visible. While the extent of any odour release from these could not be determined there was a faint odour in the air, the source of this could not be confirmed as the lagoon. There were two digestate off take points that could be used for tanker loading. These were not inspected closely (this needs to be done as part of the next inspection). The capacity of the lagoon had been increased since it was first constructed. This should ensure the site has sufficient storage capacity for those periods when land spreading can not be carried out.

There is a sump in the corner of the site that is intended to collect surface water run off. This is an open sump with an impermeable liner and central drain point to a soakaway. Despite the reported overnight rain there was no significant water in the sump. **Recommendation (3):** Access to the drain point is poor and needs to be improved to enable safe sampling of residual water (permit requires periodic monitoring for ammonia and oil) and opening of drain valve.

General Matters

The following aspects of the existing operation were discussed:

Second gas engine

A second gas engine had been in use for a considerable time yet this is not included in the permit. Emissions from the second engine had been reported in accordance with the reporting format for the first engine. The second engine had been installed to enable full utilisation of the AD gas as production was proving to be more efficient than originally expected. Alternative options should have been adopted including reducing the feed input and use of the flare, pending submission of a variation application for a second engine. It is now imperative that Bryn Power complete a variation application especially as the other changes they wished to make to the permit could also be progressed. This must be submitted by 1st November 2018. **Action (1): Bryn Power.**

It was confirmed that an Air Quality assessment had already been completed that included two gas engines and the proposed

biomass engines. A copy was provided subsequent to the visit. This information should be submitted with the variation application. The .apl file for the ADMS model should also be made available to enable detailed assessment of the results by NRW. It is noted that the report in its current format does not define the input data that was used for the gas engines.

Reception Area Modifications

A reason that a variation application had been delayed was that the Operator wanted to include a number of other changes to the permit in addition to the new gas engine. The proposed modification to the reception area was one of these and permission needed to be obtained from the Animal and Plant Health Agency prior to the work. It was confirmed subsequent to the visit that permission had been granted verbally for this work. On this basis there were no further obstacles preventing submission of a variation application. See Action (1) above.

Sump Sampling

The permit included a requirement for periodic monitoring for oil and ammonia in the water that collects in the surface water sump. This was not being completed. It was agreed that a sample would be collected as part of the routine site monitoring activities. If in the future there was a record of insignificant ammonia levels for an appropriate period NRW may give consideration to removing this requirement from the permit. In view of the likely continued presence of heavy vehicles on site the need to check for oil would be retained.

Emissions exceedance

The monitoring data that had been submitted for 2017-18 included a result of 1002 mg/m³ at A1 for VOC's. This was an exceedance of the 1000 mg/m³ limit. Bryn Power must submit a Schedule 5 Notification to NRW in the event of any breaches of a permit condition. Schedule 5's must be submitted immediately an Operator becomes aware of a non-compliance (Permit Condition 4.3 Notifications). **Action (2).**

NRW visit on 21st May 2018

There was a visit to Bryn Power by a group of NRW Officers who were taking part in an NRW organised audit training programme. They completed a 'site audit' under the guidance of a mentor. The findings from this are summarised below:

- The site drainage arrangements were confusing and lacked good identification. The use of colour coding would be a significant improvement and should be considered.
- The use of manual checks for determining digester tank levels in the event of level sensor failure needs to be documented in the site procedures.
- There was inadequate description of the scheduled inspections for tanks and site infrastructure in the site procedures.
- Interceptors are listed on the site infrastructure but their maintenance and performance monitoring were not adequately detailed.
- Ferric chloride IBCs that are not in use must be stored in an appropriate area that has bunded protection. Those in use should always be on a bund pallet (as observed).

Site Documentation

Copies of the following documents were provided to NRW subsequent to the site visit:

- PAS 110 Hazard Analysis and Critical Control Points v4
- ABPR Standard Operating Procedure v5
- Chimney Height Assessment and Detailed Air Quality Assessment for two SWIP Boilers v2.

EPR Compliance Assessment Report

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Operator/Permit holder	Bryn Power Limited	Date	16/08/2018

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.

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.