

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

Site	Insource Energy ( Rogerstone) Ltd		Permit Ref	101615		
Operator/ Permit holder	Insource Energy ( Rogerstone) Ltd					
Date	17/11/2014		Time in	13:00	Out	15:30
What parts of the permit were assessed	waste returns, annual monitoring, management					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	William White, Site manager					
Officer's name	Richard Taylor		Date issued	20/11/2014		

**Section 1 - Compliance Assessment Summary**

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
<b>a) Permitted activities</b>	1. Specified by permit	N	
<b>b) Infrastructure</b>	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	A	
<b>c) General management</b>	1. Staff competency/ training	O	
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	N	
<b>d) Incident management</b>	1. Site security	A	
	2. Accident, emergency & incident planning	N	
<b>e) Emissions</b>	1. Air	C3	S3.1
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
<b>f) Amenity</b>	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
<b>g) Monitoring and records, maintenance and reporting</b>	1. Monitoring of emissions & environment	O	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	C4	A1
<b>h) Resource efficiency</b>	1. Efficient use of raw materials	N	
	2. Energy	N	

**KEY: C1, C2, C3, C4 = CCS breach category ( \* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored**

<b>Number of breaches recorded</b>	2	<b>Total compliance score</b> (see section 5 for scoring scheme)	4.1
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**If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

An annual site visit inspection was held by Natural Resources Wales (NRW) at SSE InSource Energy, Rogerstone on 17th Nov 2014, at 13.00 hrs.

Personnel present were William White (WW), Neil Ingleson (NI) and Marketa Horne (MH) from SSE, with Richard Taylor (NRW Site inspector), and Kelly Sherratt (NRW).

The inspection followed the site agenda previously sent to site, following permit conditions named below.

### Pc Table S2.1 – Allowed waste types

Site submitted a waste return to NRW for the period Jul-Sep 2014 which had a non-permitted waste type listed. The return stated that the site had received 354.49 tonnes of wastes from spirits distillation, EWC code 02 07 02.

On examination of the site input waste sheets, this was found to be erroneous, and the waste type should have been listed as 02 07 04 – food and beverage industry waste – material unsuitable for consumption or processing.

Recommendations for this permit condition.

**1. Review the waste types received on site match the EWC codes allowed in the site permit GP3890VT/V002.**

**2. Double check the waste returns are correct before submitting to NRW to avoid possible permit breaches.**

### Pc 1.1.1(b) & 1.1.4 – Sufficient competency

The current staffing levels were viewed, along with competency of site personnel. It is clear that the site has a number of long term sick personnel, which is placing a strain on the day to day running of the business - although site report that there is enough cover in place. Site have hired 2 agency staff to fulfil their requirements which demonstrates the company's willingness to operate. The site attendance book was shown, and NI's records were seen. This showed attendance on site between 05.00 hrs to 14.00 hrs for 5 days per week in October.

Permit requirements are for a 'suitably qualified person' to be present on site. This equates to for 20% of the time. This equates to 20% of 48 hours – 9.6 hours per week, which has to be documented in a suitable diary/recording system.

A person is deemed to be suitably qualified by adhering to an 'approved competency scheme'. SSE InSource have notified NRW previously that they are following the approved WAMITAB route to gain the WAMITAB level 2 diploma for anaerobic digestion operator qualification. Note, the lesser qualification 'EPOC' is not acceptable to meet the criteria because it was originally intended to cover a period of grace for new AD plants coming under permitting, and applies to lower risk sites, not medium risk AD plants of this size.

The current situation is that 2 operatives have completed their studies and are awaiting WAMITAB verification and certification. One of these is N.I.

The Manager has working experience in AD management, with a background in power generation. Until the operatives receive their certificates, it is NRW's opinion that the site is currently not meeting permit requirement 1.1.4. However, NRW accepts that a practical level of experience is on site, and are willing to accept the situation as a temporary measure without penalty until the certificates have been issued. Note – We reserve the right to deal with any incidents or accidents occurring within this time against the backdrop of condition 1.1.4.

**3. Site to send copies of the qualifications gained by the site operatives to NRW as soon as practicable.**

### 3.5.1. Monitoring returns

Waste - Site have sent NRW the Q1,2 and 3 waste returns so far this year, Q4 is due within a month ending Dec 2014 according to pc 4.2.2.

Air – Site have not sent the air monitoring return for 2013 as required under permit condition 4.2.3 by the due date, i.e. within 28 days of 17th Jan 2014 (Table S4.1). **For the late sending, a permit breach category 4 score has been awarded.** This is a

minor technical breach with no damage to the environment carrying an OPRA score of 0.1 points. Subsequently, the latest RPS return has been submitted to NRW on 21st No 2014. The information needs to be transcribed to form 'Air 1' in the permit and returned within 28 days after 17th Jan 2015 (14th Feb 2015).

Note, it is the operator's responsibility to send permitted documents on time to NRW.

**Action 4 – Site are to liaise with their MCERTS accredited air emissions sub-contractor RPS to obtain a copy of any air monitoring report which took place during 2013 and forward a copy to NRW as soon as practicable.** The period 17th Jan 2013 to Jan 16th 2014 is the official period required according to the site permit.

**Action 5 - In the event that there has been no air monitoring of the CHP exhaust stack carried out for 2013, site are to inform NRW. Update 21 Nov 2014, site now sent last return. 2013 data missing, and reportedly not carried out. This is a breach of permit condition schedule 4.2.3 for non reporting. A decision on what action will be taken by NRW and the site shall be informed ASAP.**

The Air return for 2014 was seen, It was noted that there was a breach in the allowed limit for total VOC. 1636mg/m<sup>3</sup> against a limit of 1000mg/m<sup>3</sup>. This was confirmed, and earns a category 3 breach – a permit breach for minor environmental affects carrying 4 OPRA points.

#### Site tour

The site was clean and tidy. The GD Environmental skips seen in the yard 2 weeks previously had gone and the area looked freshly jet washed clean, as did the loading hall. No evidence of seagulls was present, nor any other vermin. Site have taken delivery of a covered framework for use on the yard skips. This was seen as a good move by NRW, and should prevent seagull predation.

#### AVHLA decision

The main AD tank was operating at a reduced capacity due to a late decision by AVHLA personnel to remove the ability for the plant to process ABP waste. Therefore the plant was operating on plant based matter at the time of the visit.

#### Hours of operation

Note. The sites operating times are approximately 6am to 2pm 7 days per week, with the adjacent food factory operating 24/7. This leaves a time period between 14.00 hrs and 06.00 hrs where food waste accumulates in available receptacles between the sites, and places a strain on both resources, and personnel. This also acts as a bottle neck in the process flow of both operations. NRW understands that there is a contractual issue where InSource are obliged to take the waste from the food factory and return clean Dolavs for re use.

Site to raise this as an issue with Solway Foods.

#### Dolav cleaning

Another bottle neck was the system to clean the Dolavs. One industrial steam cleaner exists to clean up to 100 Dolavs per day. One cycle of cleaning takes perhaps 5 minutes, meaning that up to 12 Dolavs per hour/70-80 per working day can be cleaned. However, these maximum figures cannot realistically be achieved because of the manual way the cleaner needs to be unloaded/loaded by the forklift truck driver who has to embark/disembark from the forklift to load/unload. There is also a risk in relying on one steam cleaner. There is no back up in the event of its failure. Site need to have emergency 24hr call out procedures in place in the event of failure, but would then have to catch up on the backlog. Alternatively a secondary steam cleaner needs to be in position to reduce the burden on one machine, and speed up the cycle of Dolavs. The option of having dedicated site personnel responsible for steam cleaning the Dolavs should be looked at by the company.

**Action 6. Review the emergency maintenance provision for the steam cleaner and upgrade to instant call out in the event of failure.**

**Action 7. Investigate the possibility of having a secondary unit installed.**

**Action 8. Investigate the possibility of having dedicated site staff to steam cleaning and recycling the Dolavs.**


Site are currently not spreading the final AD component to land as a fertiliser. This could be a waste of a lucrative and valuable commodity. There may be issues with high ammonia which prevents this, however, site should investigate this possibility.

**Action 9. Investigate the possibility of spreading the final AD product to land.**

#### New works

The idea of increasing the ventilation and light in the main hall was raised by MH. RT expressed the opinion that NRW would not have a problem with this. Because the works would take place to modernise the existing permitted footprint, and the proposed fans would blow out of the back of the building where the nearest receptor is 165 metres away, the permit would

not need to be varied. However, any odour or noise complaints arising from the works would be investigated. Site does not have the right to raise noise or odour issues beyond the site boundary on the permit.

	<b>EPR Compliance Assessment Report</b>	Report ID: 101615/0224916
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Site	Insource Energy ( Rogerstone) Ltd	Permit	101615
Operator/ Permit	Insource Energy ( Rogerstone) Ltd	Date	17/11/2014

**Section 3- Enforcement Response** **Only one of the boxes below should be ticked**

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.	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>
We will now consider what enforcement action is appropriate and notify you, referencing this form.	<input type="checkbox"/>

**Section 4- Action(s)**

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
E1	C3	Air 1 submission due to NRW before 14th Feb annually	N/A
G4	C4	Reduce the levels to under permitted requirements	N/A

## 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 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 which could have a <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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 fulfill 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 (e.g. 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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](mailto: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.