

Compliance Assessment Report

Report ID:
CAR_NRW0035310

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

Site	Mona Anaerobic Digestion Plant	Permit Ref	AP3033HY		
Operator/Permit holder	Optimal Biogas Ltd				
Regime	Installations				
Date of assessment	20/06/2019	Time in	10:00	Out	12:40
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Ross, Stuart				
Accompanied by					
Recipient's name/position	Andy Bateman/ Director	Date issued	11/07/2019		

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
B4 - Infrastructure - Containment of stored materials	A	
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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

This Compliance Assessment Report follows a site inspection and site meeting held 20/06/19. Present at the meeting were Andy Bateman (Director - Optimal Biogas Ltd) & Adam Archer (Material Change Ltd).

Since the previous inspection Material Change Ltd have continued to 'ramp down' the process and Optimal Biogas Ltd have not applied to transfer or surrender the permit and therefore remain responsible for compliance with the Environmental Permit.

Issues relating to the sale and future of the plant have been subject to separate correspondence that is not covered by this report. However, this will be discussed between all parties involved during a site meeting 15/07/19.

Current Operations

Since the previous inspection;

1. Biogas

The gas engine is no longer operational and has been 'winterised'. All residual biogas is being burnt within the enclosed flare. At the time of the inspection the 500m³/hr capacity flare was witnessed in operation and operates for approximately 1.5 hrs per day. As the calorific value of the biogas declines the flare will eventually become inoperable. During the inspection it was reported the flare can utilise biogas with a minimum methane content of 30% v/v.

ACTION - Optimal Biogas Ltd shall (working with all parties) explore, and where appropriate take steps to maximise the volume of biogas combusted through the flare and thereby minimise venting via PRVs. Steps taken to meet this action shall be presented to NRW during the site meeting 15/07/19.

During the inspection it was reported that the flare is due for its scheduled service that is in the process of being arranged by Material Change Ltd.

ACTION - Optimal Biogas Ltd shall ensure (working with all parties) that the flare is serviced and maintained in good operating condition. Steps taken to meet this action shall be presented to NRW during the site meeting 15/07/19.

2. Surface Water / Leachate Management

No feed stocks / waste materials have been imported to site, the silage clamps are clean and free of material. The yard 'apron' between the clamps and the feeding hoppers was also clean. The leachate/foul drainage system serving these areas is directed to the leachate tank which is in turn pumped to the process tanks within the bunded area.

It was reported that the leachate drainage system was recently cleaned out but despite this it continues to contain liquids with an ammonia content >10mg/l. The cause of this was not clear but during the inspection there was flow entering a manhole chamber in the system (during dry weather conditions) suggesting ingress of groundwater. Given the documented issues relating to the release of silage effluent to ground this may be a potential source of contamination.

Recommendation - Given the surface of the silage clamps and apron are now generally free of organic material, options to divert this water to the surface water lagoon (subject to suitable checks) and reduce the volumes pumped to the process tanks should be explored. This would clearly require the separation of clean surface water from contamination within the leachate drainage sys

At the time of the inspection both digesters were effectively full with some limited capacity remaining within the post digester and digestate holding tank. It was estimated that approximately 900 m³ of capacity remains available for surface water storage should it be required.

ACTION - Ensure adequate free board is maintained to accommodate contaminated surface water arisings. Steps taken to meet this action shall be presented to NRW during the site meeting 15/07/19.

Surface water accumulations within the bunded areas are now free of contamination and is pumped to the surface water lagoon following testing.

The excavated inspection pit adjacent to the silage clamp was dry and the adjacent historic drainage system remains blocked.

The surface water lagoon was partially full and was tested in situ by Material Change Ltd - ammonia 0.00mg/l.

The blue tank previously located on the apron has been removed as requested in the previous report.

3. Site Personnel

The site manager and another experienced employee as transferred from Optimal Biogas Ltd to Material Change Ltd continue to maintain an on site presence 5 days per week and respond to out of hours system alarms etc. Employees continue to follow the site's Environmental Management System.

4. Ramp Down Plan

NRW has requested that Material Change Ltd provide an update to the ramp down plan to extend the predicted biogas production to the point at which the flare will be inoperable due to gas quality and beyond if possible to the point at which the yield drops to negligible. NRW has requested that this information is provided to Optimal Biogas Ltd,

EPR Compliance Assessment Report

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Operator/Permit holder	Optimal Biogas Ltd	Date	20/06/2019

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.