

Compliance Assessment Report

Report ID:
CAR_NRW0032480

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

Site	Llwyn Isaf Anaerobic Digestion Plant	Permit Ref	KB3438AN		
Operator/Permit holder	Biogen Gwyrdd Ltd				
Regime	Waste Operations				
Date of assessment	09/11/2017	Time in	10:35	Out	11:50
Assessment type	Site Inspection				
Parts of the permit assessed	As below				
Lead officer's name	Thomas, Rhys				
Accompanied by	White, Steven,Rees, Aled E.				
Recipient's name/position	David Herbert/ Site Manager / TCM	Date issued	22/11/2017		

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
E1 - Emissions - Air	C3	3.1.2
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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)	4
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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

Routine announced inspection carried out by Environment Officer Rhys Thomas, accompanied by Environment Officers Steven White and Aled Rees. Officers were accompanied by Site Manager David Herbert throughout the visit.

A visual inspection of all operational areas apart from the screening room was carried out. At time of inspection food waste was stored inside the reception hall and was being fed into the shredder. David explained that maintenance had recently been carried out on the reception hall carbon filter which involved replenishing the carbon media. Officers proceeded to the bunded outdoor yard. This area was tidy and organised and all tanks and pipework appeared free from any leaks or spillages. Containers of Ferric Chloride and Tungsten for dosing are now stored in the yard between the digester tanks. Both containers are placed on bunded pallets. These have been relocated for operational reasons, and are now in an area with less vehicle movements. No issues were noted on site during the visit.

Upon returning to site office officers reviewed some documentation, including daily checks records and a sample of waste transfer notes. Records of flare operation were also shown to the officers. The documentation checked was up to date and in good order. Discussions took place specifically around daily odour and surface water checks.

Annual Point Source Emission Monitoring:

A Schedule 5 notification was submitted to Natural Resources Wales in August (18/08/2017) outlining a breach of SO₂ limit identified during the annual monitoring of CHP exhaust emission point (result 438mg/m³, emission limit value 350mg/m³). The test was carried out on 07/08/2017. **This emission limit is a breach of permit condition 3.1.2 and a CCS Score of C3 has been applied.**

This issue was discussed during the site visit. It was explained that there were problems with the Ferric chloride dosing system in the days leading up to the testing and this has been identified as root cause of the limit breach. The Ferric Chloride dosing system was subsequently repaired and a re-test of CHP emissions was carried out in October (18/10/2017). Results of the re-test were forwarded to NRW and show the SO₂ within the permitted limit at 63.7mg/m³.

Part B of schedule 5 was submitted to NRW (in line with permit requirements) outlining what measures had been taken. As part of maintenance checks the dosing injector point will now be monitored to ensure

dosing remains reliable and consistent.

Thank you for your time during the inspection. If you would like to discuss anything mentioned in this report please contact Rhys Thomas on 03000 65 3765, rhys.thomas@cyfoethnaturiolcymru.gov.uk

Photograph:

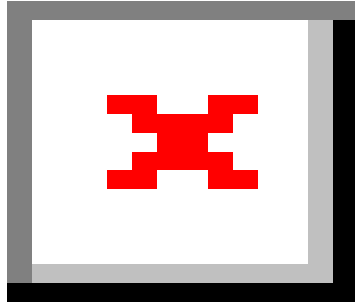


Photo 1: showing Ferric Chloride and Tungsten for dosing now stored on yard.

EPR Compliance Assessment Report

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Operator/Permit holder	Biogen Gwyriad Ltd	Date	09/11/2017

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	Route cause identified and rectified, ensure monitoring is carried out to ensure dosing is reliable.	22/11/2017

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.