

Compliance Assessment Report CAR_NRW0038627

Permit being assessed: FP3232KG.

For: Cardiff East Wastewater Treatment Works CHP Facility, held by Dwr Cymru

Cyfyngedig

At: Dwr Cymru Welsh Water, Tide Fields Road, Rover Way, Cardiff, Cardiff, CF24 2RX.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 15/02/2022.

Parts of permit assessed: Annual returns

NRW Lead Officer: Lewis Evans.

Report sent to: Andrew Dixon, Energy Operations Manager on 15/02/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	Assessed (A)	
E1 - Emissions - Air	C4 No impact	3.5.1
A1 - Specified by permit	C4 No impact (Suspended)	4.2.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact (Suspended)	4.2.2 (c)

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
3	0.1

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
E1	Please let me know at the earliest convenience if the engine will be restarted and if it will be tested within this timescale (28th Feb 2022).	28/02/2022
A1	Please submit the report in line with permit condition 4.2.2 to NRW by the 11th March 2022 or a date agreed in writing with NRW.	11/03/2022
G4	Please provide the information in the Performance 1 form by the 28th February 2022.	28/02/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

EPR-FP3232KG - Dŵr Cymru Welsh Water Cardiff East Wastewater Treatment Works CHP Facility

Dŵr Cymru Welsh Water (DCWW) submitted their annual Air emissions to Natural Resources Wales (NRW) on the 31st January 2022. DCWW are still required to submit the Performance reporting and a annual report as stated in permit condition 4.2.2.

- **Air Emissions**

Within the Air1 form submitted by DCWW, there were results for emission point A1 and A2. A3 was not tested due to a high-voltage breaker issue on this engine and is not in operation.

A1 & A2 Results

Emission Point	Parameter	Limit	Result
A1	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	500mg/m ³	334mg/m ³
A1	Carbon Monoxide	1100 mg/m ³	756.88mg/m ³
A1	Sulphur Dioxide	340 mg/m ³	121.96mg/m ³
A2	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	500mg/m ³	357.5mg/m ³
A2	Carbon Monoxide	1100 mg/m ³	875.34mg/m ³
A2	Sulphur Dioxide	340 mg/m ³	142.59mg/m ³

From the table above, all the monitored emissions are within the permitted limits. However, a non-compliance score C4 will be applied against DCWW for the emission point A3. This has been determined as the engine is not in operation and will have no environmental impact. Communication with DCWW have stated that the engine is due to be tested by the end of February 2022. **Action#1** Please let me know at the earliest convenience if the engine will be restarted and if it will be tested within this timescale (28th Feb 2022).

The site has not submitted their 'Performance 1' form which contains information on:

- Power Output – Heat
- Power Output – Electricity
- Energy Efficiency
- Water usage
- Water Generated
- Energy Usage
- Operational time of waste gas burner

There has been confusion with the date in which 'Performance 1' needs to be submitted. A request to DCWW from NRW has been made to see if the January date can be met. This is to be reviewed and will be agreed via a CAR form. In the meantime, providing the information can be submitted to NRW by the 28th March, a decision to score and suspend (C4) has been made for the required information. **Action #2 Please provide the information in the Performance 1 form by the 28th February 2022.**

Permit condition 4.2.2 states:

4.2.2 A report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year. The report(s) shall include as a minimum:

- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;*
- (b) the annual production /treatment data set out in schedule 4 table S4.2; and*
- (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.*

DCWW have failed to submit this report to NRW. This is a breach of the permit condition and will incur a non-compliance C4 score against DCWW. Please provide a report to NRW by the 11th March 2022 or a date agreed in writing.

Action #3, Please submit the report in line with permit condition 4.2.2 to NRW by the 11th March 2022 or a date agreed in writing with NRW.

Waste Treatment BREF Update

Site Officer Lewis Evans (LE) met with James Camis (JC), Keith Harris (KH) and Jessica Deane (JD) on the 10th February 2022 to review documents for the Waste Treatment BREF. The majority of the documents that were shown seemed to be compliant with the BAT conclusions. However, these will need to be submitted to NRW by JC with supporting information being sent over by JC for LE to review. There were discussions on some of the BAT conclusions required to be extended. The exact BAT C's to be requested to extend will be submitted by JC. This will be followed up by a further CAR form.

BAT Conclusions 19 was not reviewed on the day as this was previously discussed with other DCWW and NRW staff on the 4th February 2022 due to work needing to start on site on the 7th February 2022. As stated in the email sent on the 7th February 2022 and the teams meeting on the 4th February 2022,

"With regards to the work that you intend to commence on Monday we have no objection for you to start the work, this will not satisfy the improvement condition (and means the response to the IC has not been agreed with the regulator). Further work may be required on the bunding following a review of all the risk assessments."

Actions

Action #1 - Please let me know at the earliest convenience if the engine will be restarted and if it will be tested within this timescale (28th Feb 2022).

Action #2 Please provide the information in the Performance 1 form by the 28th February 2022.

Action #2 - Please submit the report in line with permit condition 4.2.2 to NRW by the 11th March 2022 or a date agreed in writing with NRW.

END

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.