

## Compliance Assessment Report for:

# STANDALONE MEDIUM COMBUSTION PLANT AND SPECIFIED GENERATORS

<b>Permit number</b>	PAN005141	<b>Operator name</b>	Newbridge Energy Ltd
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<b>Site name</b>	Newbridge Energy Ltd
<b>Site address</b>	Brickfield Lane, Denbigh Road, Ruthin, Denbighshire, LL15 2TN
<b>Type of assessment</b>	Review of stack emissions monitoring reports (25.10.21 & 16.12.21)

<b>Date of assessment</b>	25.02.22	<b>Time in</b>		<b>Time out</b>	
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<b>Parts of permit assessed</b>	Review of stack emissions monitoring reports (25.10.21 & 16.12.21)
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<b>NRW Lead officer</b>	Jamie Blythin	<b>Accompanied by</b>	
<b>Report sent to – Name and position</b>	Peter Mills	<b>Date</b>	01.03.22

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
E1 Emissions – Air	C3 Minor	3.1.2
G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales	C3 Minor	4.3.1
Choose an item.	Choose an item.	
Choose an item.	Choose an item.	
Choose an item.	Choose an item.	

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

<b>Total number of non-compliances recorded</b>
2

## 2. What action is required?

Criteria	Action needed	Complete by
G4	See Action 1 in report.	12.04.22

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 prosecutions and/or suspension or revocation of your permit.**

**You are non-compliant with your permit. We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

## 4. Details of our assessment

This is a review of the CHP stack emissions monitoring results which relate to emissions monitoring campaigns carried out on 25.10.21 and 16.12.21. Both monitoring campaigns were completed by an independent MCERTS accredited test house.

For clarity, it should be noted that the permit requires the operator to complete annual extractive emissions monitoring. The operator carried out annual emissions monitoring (2021) on 25.03.21 and submitted an Air1 form to NRW 07.04.21. These annual emission results were within permitted Emission Limit Values (ELVs) and a Compliance Assessment Report (CAR) was sent to the operator to confirm this.

The emission monitoring campaigns carried out on 25.10.21 and 16.12.21 were additional monitoring campaigns organised by the operator.

### 25.10.21

The emission monitoring results for monitoring carried out on 25.10.21 show that total particulates recorded a value of 56.9 mg/m<sup>3</sup> which is in excess of the permitted ELV of 50 mg/m<sup>3</sup>. As with any monitoring result, it should be noted that there is a measurement of uncertainty (MU) associated with this value (MU +/- 5.1).

NRW considers the ELV exceedance detailed above a breach of permit condition 3.1.2 (E1-CCS3).

All other parameters monitored were within permitted ELVs.

The operator submitted a schedule 5 notification (parts A and B) to NRW in relation to the ELV breach detailed above. However, this was not received by NRW until 22.12.21. Permit condition 4.3.1 states

'In the event:

a) Of a breach of any of the permit conditions the operator must immediately-

- (1) Inform Natural Resources Wales, and
- (2) Take the measures necessary to ensure that compliance is restored within the shortest possible time'

NRW considers this a breach of permit condition 4.3.1 (G4-CCS3).

Action 1: Ensure the site Environmental Management System (EMS) and Site Operating Procedures (SOPs) are updated to include a suitable procedure for notifying NRW and providing a schedule 5 notification in the event of a permit breach/ incident within the timeframes specified in the permit.

#### 16.12.21

Following the ELV breach of total particulates identified during the monitoring campaign on 25.10.25, the operator replaced several filter bags on the bag filter abatement system and arranged for an independent test house to carry out an emissions monitoring campaign on 16.12.21.

During this campaign, total particulates was the only parameter tested which has a permitted ELV. The result for total particulates on this date was 14.2 mg/m<sup>3</sup> (MU 1.34 +/-) which is below the permitted ELV of 50 mg/m<sup>3</sup>.

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

**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](mailto: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](mailto: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.