

Compliance Assessment Report CAR_NRW0039604

Permit being assessed: DP3934EW.

For: Point Of Ayr Gas Terminal , held by Eni UK Ltd

At: Point of Ayr Terminal Station Road , Talacre, HOLYWELL, Clwyd, CH8 9RD.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 23/03/2022 between 09:30 and 14:30.

Parts of permit assessed: See report

NRW Lead Officer: Lara Cubley.

Report sent to: Andy Elkin, Environmental Co-ordinator on 04/04/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	Action only (X)	
E1 - Emissions - Air	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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
C2	See Action 1 - submit closure plan	01/07/2022
E1	See Action 2	29/04/2022

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

1) Introduction

NWR conducted an inspection of Point of Ayr (PoA) Gas Terminal of the 23rd of March 2022 in order to:

- Discuss future plans for the site and permit implications.
- Conduct a site walkover inspection.
- Review Leak Detection and Repair (LDaR).

2) Future Plans

The Operator gave a presentation of future plans for the site summarised as:

- Gas Sales are predicted to cease by the end of 2022.
- Onshore decommissioning of the plant is currently being planned.
- This will be followed by establishing necessary instrumentation and services for free flow of CO₂ through the PoA terminal.
- There are currently no plans for Carbon capture at the PoA terminal only compression of CO₂.
- There will be associated incoming electric supply, pigging, manned control centre, and emergency diesel generator.
- Current flare to be turned into cold CO₂ vent.

Based on the information made available on the day, NRW agreed that an environmental installations permit is unlikely to be a requirement. The last copy of a closure plan NRW have for the installation is UKPU Liverpool Bay Closure Plan version E (H-000-GR-148 creation date 19/04/2013).

ACTION 1: The operator should produce an up-to-date closure plan for submission to NRW prior to cessation of gas sales or by 01/07/22, whichever is sooner.

This should be followed by a full permit surrender application. Further pre-application advice regarding the surrender and contamination issues (Site Condition Report) is recommended.

3) Site Walkover

A site walkover was conducted to include both train A/B process areas, tail gas unit, TOx, pigging receipt. Other areas inspected included the fire pumphouse, workshop and chemical storage bund area. Signs of contamination (staining of soft ground) were pointed out around the contaminated water bund at the entrance to the chemical storage area.

A borehole was in the process of being drilled on site in order to confirm ground conditions.

The pig receiver pit waste that is pumped to IBCs was being stored in the chemical storage area ready for off-site disposal to appropriately permitted facility.

The Methyl diethanolamine (MDEA) bund was inspected and appeared to be in good condition. Bunding had been an improvement condition requirement (IC4) in 2008.

4) Leak Detection and Repair

Some discussion was had regarding LDaR. It is understood that the site's current capability includes fixed H₂S/Natural Gas and line of site boundary/cross site detection. It was reported that an optical gas imaging camera was recently hired to check for fugitive emissions. Pipelines are subject to an inspection regime by the integrity team based upon risk.

BAT 6 & 18 requirements mean sniffer techniques/calculations (BS EN 15446:2008) and optical gas imaging are mandatory. The Operator believed BAT 6 & 18 were not applicable during the BAT review but it is not clear why.

ACTION 2: The Operator is to confirm why they believe these BAT conclusions do not apply to the installation, or otherwise, to NRW in writing by 29/04/22.

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.