



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

Site	Runcorn ERF EPR/XP3005LB				Permit Ref	XP3005LB		
Operator/ Permit holder	Viridor Energy Limited							
Date	20/04/2022				Time in	12:55	Out	16:30
What parts of the permit were assessed	Noise Management and Operating Techniques(Reception hall doors)							
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op	Water Discharge		
Recipient's name/position	Plant Manager							
Officer's name	Phil Goodwin, Rachel Burton, Christine Bryan				Date issued		03/05/2022	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),

A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

MSA, MSB, TCM = Management System condition A, Management System Condition B and Technically Competent Manager condition which are environmental permit conditions from Part 3 of schedule9 EPR (see notes in Section 5/6).

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

This form is to ensure a joint understanding between the operator (Viridor Energy Limited VEL)), their consultant (SLR) and the EA, following the meeting held on site on 20 April 2022.

Previously a site visit was conducted on 3 March 2022. This was to look at the chain socks on the gantry crane, the use of foam pads when containers are placed direct on concrete and the positioning of the on-site and off-site sound level meters. This resulted in the relocation of the sound meters located at Weston Road to the correct Weston Road location. The local resident was met too. Everything else was satisfactory.

Following that visit SLR has undertaken on-site and off-site monitoring in relation to a BS4142 at a Westfield Road and Weston Road location and in addition to impulsive sound testing in relation to railhead events.

3 representatives from VEL were at today's meeting and a representative from SLR.

Findings & Recommendations from today's meeting.

The BS4142 surveys are believed to have been conducted under suitable weather conditions and weather information is to be provided to confirm this to the EA within the reports.

Additional background readings are required to validate existing data. It is proposed that VEL using SLR's expertise will conduct additional background assessments provisionally planned in for the night of 29 April 2022. Mersey View running perpendicular and south of Clarks Terrace was agreed as a suitable location.

There will be additional noise survey work undertaken at the railhead and at the Westfield Road location to establish the validity of the impulsive noise survey with real time data and actual sound recordings. This will be conducted at the northern end of the railhead in the absence of shielding to the Westfield road area. Unabated and abated carriage loading/unloading techniques will be tested. Exact carriage location on the railhead is to be logged. Again this is provisionally booked for the end of April 2022.

The EA's noise specialist is to communicate direct with SLR's representative to establish calculations relied upon are fully justified when correcting noise levels using ISO 9613-2.

Terminology such as 'metal on metal' is to be further expanded upon to provide a clear description of the events being tested.

Sound recording and attendance where possible should be used to ensure little reliance on any assumed causes.

Plumes

Videos recordings were played in the meeting of the plumes from the water cooled condensers grounding on Clarks Terrace on 31 March 2022 and low level plumes extending just above the roof line of Clarks Terrace taken on 4 April 2022. Weather data was presented by the EA and taken from that period shows there was a very cold spell with temperature lows just above freezing and Northerly winds. VEL have agreed to provide the EA with all relevant information in relation to plume control and noise prevention measures for the water cooled condensers. Fan speed can be altered for short amounts of time upto~2 hours to improve plume dispersion. This information will be fully reviewed on the 13 May 2022 on-site. Following this the EA will set a date to explore the information and adherence to procedures in more detail.

Reception Doors

The doors were seen to be fully operational as seen from weighbridge CCTV and from outside the site boundary. Update after meeting - The door infrastructure was repaired recently but they are

still waiting for the new outward door to be delivered to site and installed. However, as an interim VEL fitted the damaged door until they had a confirmed date for the new one to arrive in the hope it would function satisfactorily. Unfortunately, due to the damage the old door does not reliably operate, and they have had to remove it. The new door is expected to arrive and be fitted on Sat 7th May.

Section 3- Enforcement Response

Only one of the boxes below should be ticked

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.

**Non-compliance with MSA, MSB & TCM do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice.*

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

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 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.

● A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

A breach of permit condition **MSA, **MSB** & **TCM** is not an offence but may result in the service of a notice requiring compliance and/or suspension or revocation of the permit.*

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 which 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.

MSA, MSB & TCM are conditions inserted into certain permits by Schedule 9 Part 3 EPR

MSA requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

MSB requires that the management system must be reviewed, kept up-to-date and a written record kept of this.

TCM requires the submission of technical competence information.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency 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 Environment Agency 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 28 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?

A permit holder can challenge any part of the CAR form by writing to the Environment Agency office local to the site within 28 days of receipt. If the issue cannot be resolved by the local office, a permit holder can raise a dispute through our official [complaints procedure](#).

If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#) phone their helpline on 0345 015 4033.