Environment Agency	**EPR Compliance Assessment Report**	Report ID: XP3030XX/0188646

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

Site	Lancing Combustion Plant			Permit Ref	XP3030XX		
Operator/ Permit holder	Enviropower Ltd						
Date	06/09/2013			Time in	00:00	Out	12:00
What parts of the permit were assessed	Emissions Monitoring Reports, Waste Testing Reports, Dust Management Plan, Site Condition Report, Waste Minimisation						
Assessment	Report/data review	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Mick Adams						
Officer's name	Kelly Butland			Date issued	06/09/2013		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	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	A	
e) Emissions	1. Air	C3	2.2.13
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	A	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	A	
	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	A	
h) Resource efficiency	1. Efficient use of raw materials	A	
	2. Energy	N	

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DATE VALID 20 NOV 2015

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

Number of breaches recorded	1	**Total compliance score** (see section 5 for scoring scheme)	4

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 completed within 14 days of an assessment.

TOC ash composition monitoring, January – March 2013 and April – June 2013
TOC ash composition monitoring for the quarters ending March 2013 and June 2013 were submitted by email on 30/07/13 in accordance with permit condition 2.6.7 and Table S2. We accept this email as confirmation of submission by an authorised representative of the operator. The results show compliance with the permit conditions.

Composition monitoring of IBA and APC residues, January – June 2013
Metals, Dioxins/Furans and Dioxin like PCB composition monitoring of IBA and APC residues for the 6 month period ending June 2013 was submitted by email on 30/07/13, in accordance with permit condition 2.10.4 and Table S2. We accept this email as confirmation of submission by an authorised representative of the operator. The results show compliance with the permit conditions.

IBA and APC residues solubility testing
Ash solubility testing was carried out prior to changes being made to the disposal route. A report of the IBA and APC residues solubility was submitted as required by permit condition 2.10.4. The results show compliance with the permit conditions.

Periodic Air Quality Monitoring, January – June 2013
The periodic air quality monitoring returns for the period January – June 2013 were submitted by email on 15/07/13. We accept this email as confirmation of submission by an authorised representative of the operator.
An excedance of permit limit was found for particulates in line B. This excedance was investigated and a re-test was arranged. As the investigation found no errors in sampling or analysis the elevated reading is considered to be a true result for that time and is taken as a breach of permit condition 2.2.13. A score has been included above for this breach.
The re-test was carried out on 22/07/13 after a planned shut down period. The retest result shows compliance with the permit conditions. The planned maintenance carried out during the planned shutdown period obviously rectified the cause of the original breach.

Continuous Air Quality Monitoring, January – June 2013
The continuous air quality monitoring returns for the period January – June 2013 were submitted by email on 16/07/13. We accept this email as confirmation of submission by an authorised representative of the operator. No invalid days were reported during this reporting period.
The data set contained one breach of 30 minute ELV for Carbon Monoxide on Line B on 05/03/13. A Schedule 1 notification was received for this breach at the time of occurrence and a breach was recorded for it on CAR Form RDR/130508/XP3030XX, dated 8th May 2013. No further action is to be taken for this breach.

Dust Management Plan
A revised Dust Management Plan was submitted on 23/08/13. I accept the content of this submission.

Waste Minimisation Audit
A revised Waste Minimisation Audit was submitted on 23/08/13. I accept the content of this submission.

Site Condition Report
A revised Site Condition Report was submitted on 23/08/13. I accept the content of this submission.

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Operator/ Permit	Enviropower Ltd	Date	06/09/2013

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.

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.	X
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			
E1	C3	No further action required.	N/A

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.

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 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.

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?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@environment-agency.gov.uk. 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.