

## Compliance Assessment Report CAR\_NRW0039747

**Permit being assessed:** BP1772IZ.

For: Poeton Cardiff, held by Poeton (Cardiff) Limited

At: Poeton (Cardiff) Ltd, 283 Penarth Road, Cardiff, Cardiff, CF11 8UL.

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

On 31/03/2022 - 21/04/2022.

Parts of permit assessed: Waste Minimisation Report

**NRW Lead Officer:** Geraint Harris.

**Report sent to:** Jason Hamling, Health, Safety and Environment Manager on 21/04/2022.

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

| Part of permitted activity assessed (criteria) | Assessment result | Permit condition |
|------------------------------------------------|-------------------|------------------|
| E5 - Emissions - Waste                         | Assessed (A)      |                  |

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?

No action required.

### 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

Poeton Ltd

EPR/BP1772IZ

**Waste:**

NRW received a waste minimisation report for the year 2021 in March 2022. Poeton produced less waste in

2021 when compared to the previous 2 years. However, waste to landfill increased slightly on 2020, which is thought to be a consequence of a site clear out. Poeton continue to recycle waste where possible, of particular note is the increase in use of bespoke packaging on incoming work. This allows Poeton to send completed work back to the customer with the original packaging therefore reducing waste.

**Carbon dioxide:**

Poeton's CO<sub>2</sub> production has slightly increased in 2021 in line with increased turnover in business, due to some recovery from the impact of COVID-19. Poeton state that the company leadership is aware of their moral and legal duty to decrease the amount of CO<sub>2</sub> produced and a project is due to start in 2022 to find ways this can be achieved and act on them. NRW welcomes the news that such a project is being planned.

**Water:**

NRW are pleased to see that water usage in 2021 has decreased compared to the two previous years. When comparing this figure to the number of employees at Poeton Cardiff the water usage per employee has also reduced when compared to 2020. Poeton continue to use flow-check valves and level probes, as well as making sure that their tank maintenance is planned such that a minimum of water is used and lost through the process, as far as possible.

**Action 4 CAR\_NRW0039076****Poeton response on the 14<sup>th</sup> Feb 2022:**

*"The installation of the new system will be managed to allow us to continue running our existing plant whilst aspects of the new plant are installed to minimise disruption. (Please see new ETP proposal attached). The cost of the new ETP is in the region of £240,000 + £20k already spent on the design works. Do we need to submit the new ETP proposal to you for review before works starts?*

*Is, there anything else we need to do / submit before work starts on the new ETP?"*

With regards to your new plant, I have spoken with our permitting team and you will need a variation to your permit in place prior to operation. I will send you separately the 'Regulatory Guidance Series, No RGN 8 - Substantial changes in operation at installations, mining waste facilities and other facilities involving solvent and combustion.' This will help you decide the type of variation that is required. One important thing to think about is the capacity of the treatment plant. Does the new plant have the capacity to treat over 50 tonnes of non-hazardous waste per day? If it does, then your variation is likely to be a substantial variation due to the treatment plant changing from a directly associated activity to an EPR scheduled activity (S5.4 A(1)(a)(ii)).

**Action 1:** Please can you email NRW with the treatment capacity of the new tank. **Due 6<sup>th</sup> May 2022.**

In addition to varying your permit, have you also thought about future proofing the new plant against any future BREF publications. I believe the BREF discussions for surface treatment sector have began and so it is likely that in a few years the BREF and BAT conclusions will be published. Currently I don't know what the outcome will be but its is likely that the current emissions limits will be reduced. For a steer, Poeton may want to look at the recent waste treatment BREF ELV's. I am not sure if you are a member of the Surface Engineering Association (SEA). They should be very well informed I the BREF process and have a significant input into the process via their European associates.

**Action 2:** Do you have an update on the a new double walled chemical resistant plastic tank ( PFD 22-E0209 Poeton Cardiff DC Effluent tank. **Due 6<sup>th</sup> May 2022.**

**End.**

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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](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.