

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

Site	CBL Ceramics Pembrokeshire				Permit Ref	BW0886IZ		
Operator/ Permit holder	CBL Ceramics Limited							
Date	9 December 2015				Time in	09.30	Out	12.30
What parts of the permit were assessed	See below							
Assessment	EPR - inspection	EPR Activity:	Installation	X	Waste Op		Water Discharge	
Recipient's name/position	Barbara Abeles CBL Limited							
Officers names	DMP Broom				Date issued		18/12/15	

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	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	A	
	5. Plant and equipment	A	
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	A	
	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	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	A	
	3. Maintenance records	N	
	4. Reporting & notification	A	
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 or assessed in part (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

Number of breaches recorded

-

Total compliance score
(see section 5 for scoring scheme)

-

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

Site description

This site takes beryllium compounds and other raw materials, sinters them to form a grindable shape or "blank" and then grinds these blanks into various products for use mainly in the electronics industries.

Purpose of visit/assessment

To carry out a general compliance inspection of the site and its operations.

Person(s) present (Office based)

CBL	Barbara Abeles	NRW	Mark Broom
	Steve Jones		
	David Gwyther		

Environment Management System (EMS)

A simple compliance matrix for a different regulatory regime was handed over to show how CBL: can use their existing systems to show compliance with each permit condition. It will also help to show any gaps between their permit requirements and their systems.

Accident Management Plan (AMP)

The accident management plan has been updated to show the key infrastructure and the site service response plans. The location of the alternative location that holds the plan has now been included. Once the site drainage has been digitised, this too will be included in the plans.

Investments

CBL continues to invest in equipment that reduces releases and improves efficiency. For example a new replacement furnace has recently been installed which will reduce energy usage and improve product quality so reducing waste. A replacement centrifuge was also being installed during this inspection. Recently two new members of staff have been employed to start to learn the processes and operations within the factory.

Inspection

The main areas of the process were inspected. The areas all looked tidy, clean and well organised. The containment of chemicals and materials was clear to see.

Air results

CBL continue to carry out monthly monitoring even though their permit only requires quarterly sampling. Their results show extremely low releases to air and well below their permitted levels. Around 4 spray dry operations are carried out a month. The plan is to carry out the stack monitoring when spray drying is happening which is the worst case scenario. Their aim is to monitor the first drying batch in the month.

Incident reporting

The CBL permit contains the 'old' wording for reporting. In 2013, every permit was changed by these regulations the 2013 SI390 amendments to require the following changes to bring the reporting in line with the requirements for the Industrial emissions directive (IED) –

"Incidents and accidents: deemed condition of a permit

20. Every environmental permit in relation to a regulated facility to which Schedule 7A, 13A or 14 applies is deemed to contain the following conditions, unless such conditions are included in the permit—

- (a) in the event that the operation of a regulated facility gives rise to an incident or accident which significantly affects the environment, the operator of that regulated facility must immediately—

- (i) inform the regulator,
 - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
 - (iii) take the measures necessary to prevent further possible incidents or accidents;
- (b) in the event of a breach of any condition of a permit, the operator of a regulated facility must immediately—
- (i) inform the regulator, and
 - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
- (c) in the event of a breach of any condition of a permit which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator of a regulated facility must immediately suspend the operation of the regulated facility or the relevant part of it until compliance with the condition of the permit has been restored.”.

Latest template reads as above and notifications are required for breaches of limits only -see NRW how to comply but NRW views the following -

Inform = a phone and/or email

Notification = a Part A and B submission using the relevant forms in your permit

The following information from Environmental permitting regulations 2010 SI 675 should help with the consistent reporting of events and problems on EPR sites -

“pollutant” means any substance liable to cause pollution;

“pollution”, in relation to a water discharge activity or groundwater activity, means the direct or indirect introduction, as a result of human activity, of substances or heat into the air, water or land which may—

- (a) be harmful to human health or the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems,
- (b) result in damage to material property, or
- (c) impair or interfere with amenities or other legitimate uses of the environment;

“pollution”, other than in relation to a water discharge activity or groundwater activity, means any emission as a result of human activity which may—

- (a) be harmful to
 - i) human health or
 - ii) the quality of the environment,
- (b) cause offence to a human sense,
- (c) result in damage to material property, or
- (d) impair or interfere with amenities or other legitimate uses of the environment;

What criteria or events at CBL could use to notify to NRW for these five criteria (a i, a ii, b, c, and d)?

- a) i) Riddor 26 and/or 27, and/or require medical attention due to the release
- ii) Air – breach of an Environmental quality standard (EQS), damage plant or animal life
Water – breach of Short term EQS and/or affects aquatic life (e.g. vegetative and/or animal life)
Land – contaminates land beneath the site
Ground water – any list 1 (e.g. mineral oil) discernible above pre-existing levels (See ground water guidance - GP3)
- b) release of a pollutant that can lead to – noise, vibration, odour and/or visual complaints
- c) release of pollutants that could cause damage to property or a pressure wave that could damage property also Riddor 25
- d) a release that would stop the use
 - i) of the land around the facility e.g. leisure activities such as the nearby football pitch
 - ii) or the roads and pathways around the facility

To help an extract of the Riddor reporting criteria is given below –

Explosion or fire

25 Any unintentional explosion or fire in any plant or premises which results in the stoppage of that plant, or the suspension of normal work in those premises, for more than 24 hours.

This definition covers serious fires and explosions at work premises. Examples of the type of incident which would be reportable are:

- any fire at a factory or office building, causing the suspension of work activities for more than 24 hours or
- an explosion involving dust in a pneumatic conveying system, causing stoppage of the conveying plant for more than 24 hours

Release of flammable liquids and gases

26 The sudden, unintentional and uncontrolled release:

- a. **inside a building**
 - i. **of 100 kilograms or more of a flammable liquid;**
 - ii. **of 10 kilograms or more of a flammable liquid at a temperature above its normal boiling point;**
 - iii. **of 10 kilograms or more of a flammable gas; or**
- b. **in the open air, of 500 kilograms or more of a flammable liquid or gas.**

This definition covers releases of flammable liquids or gases (eg due to the sudden failure of a storage vessel) where the release, if ignited, would cause a major explosion or fire. 'Flammable' includes those substances classified as highly flammable or extremely flammable.

Hazardous escapes of substances

27 The unintentional release or escape of any substance which could cause personal injury to any person other than through the combustion of flammable liquids or gases.

The substances covered by this definition may be in any form: liquid, solid (eg powder), gaseous or vapour and may include, eg:

- substances which may be hazardous to health (eg asbestos, phosgene, toluene diisocyanate)
- substances which may be either corrosive or potentially hazardous by virtue of their temperature or pressure (eg nitric acid, molten metal, liquid nitrogen)

This definition includes incidents which present a fire or explosion hazard (eg combustible powders), but not in relation to releases of flammable liquids or gases, where the relevant thresholds in **26** [link to paragraph 26] are not exceeded.

Examples of the kinds of incident covered by the definition are escapes arising from the failure or breakage of plant, pipes, equipment or apparatus; failures of process control; the operation of a relief valve or bursting disc where the escaping substance is not safely controlled or directed, and spillages from containers and equipment.

Releases from plant etc during the normal course of operation or maintenance (eg during sampling, packaging or draining of lines) that are sufficiently well controlled to ensure that no person is put at risk would not be reportable.

In some cases, the decision as to whether or not an incident is reportable will be straightforward, eg if a person is exposed to a hazardous substance at a level which exceeds established safe limits (eg a Workplace Exposure Limit).

However, most incidents require judgement. Various factors are relevant including: the nature of the substance and its chemical, physical and toxicological properties, the amount which escaped and its dispersal, and whether people were, or could foreseeably have been, exposed to a significant risk as a consequence of the escape.

CBL should review the criteria they could use to report a notifiable event to NRW according to their permit and the implied conditions of their permit.

Other issues

Following the last inspection, CBL now keep a monthly total of the amount of potentially Seveso 3 chemicals on site. In all cases the amount being held was below the 5 T threshold. Improved Quality Assurance (QA) of the incoming material has helped improve product quality and reduce waste.

Conclusions

CBL continue to look for ways to improve. The use of a compliance matrix can help them identify any gaps between their permit and their management systems. They are investing to improve their operations and reduce their environmental foot print whilst maintaining their produce quality and integrity.

[END OF SECTION 2]

	EPR Compliance Assessment Report	Report ID: 6057	
This form will report non-compliance with your permit as determined by an NRW officer			
Site	CBL Ceramics, Pembrokeshire	Permit	BW0886IZ
Operator/ Permit	CBL Ceramics Limited	Date	18/12/15

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

Section 4- Action(s)			
Where a 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.

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 Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). NRW 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.

NRW 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

NRW 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 twenty working 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 **0300 065 3000** (Mon to Fri **08.00–18.00**) and ask for the **Customer Contact team** or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on **(0845) 601 0987**.