Compliance Assessment Report

Report ID: CAR_NRW0032869

This form will report compliance with your permit as determined by an NRW officer					
Site	Maelor Foods Limited	Permit Ref	AB3591ZQ		
Operator/Permit holder	Maelor Foods Limited				
Regime	Installations				
Date of assessment	31/12/2017	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Routine Monitoring and Annual Returns				
Lead officer's name	Ross, Stuart				
Accompanied by					
Recipient's name/position	Michael Howard/ Health & Safety Manager	Date issued	12/02/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
C2 - General Management - Management system and operating procedures	C3	1.1
E3 - Emissions - Surface water	C3	3.1.2
	C3	3.1.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	4.3

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	16

If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This report follows a review of effluent treatment plant emissions monitoring data for the period 30/11/17 to 31/12/17 and annual returns for 2017.

Emission Point W1 (Effluent Treatment Plant)

Within Form Water 1, emissions monitoring data has been incorrectly provided for November 2017 - January 2018 - data for January should not have been included as it should be within the next quarters' return (January to March, due April 2018).

ACTION - Amend form Water 1 to include data for November - December 2017 and resubmit to NRW by 28/02/18

It has been possible to complete a review for November - December 2017 using the data included in Form 1(a) that separates data on a monthly basis. .

During this period the effluent treatment plant was being commissioned and there were a number of emission limit breaches that have been subject to separate correspondence;

- Ammonia maximum 16mg/l (emission limit value 5 mg/l).

- Phosphate maximum.6.8 mg/l (emission limit value 2.5mg/l)

These emission limit exceedances are in breach of permit condition 3.1.2 with the potential to cause a minor environmental impact Each breach attracts a CCS score of 3. The operator has taken corrective action to bring the effluent treatment plant into compliance.

The pH value in Form Water 1 is reported as 6.4 but this should be expressed as a range as pH has an upper and lower limit. pH data was not included in Form Water 1 (a). Please amend the report and re-submit in line with the action above.

Schedule 5 Notifications

A schedule 5 Part A notification was received 20/12/17 reporting a breach of permit limits 18/12/17 for ammonia (13mg/l) and phosphate (7.7mg/l). However a Part A notification was not received for the emission limit exceedances recorded in the section above.

Failure to submit a part A notification is a breach of permit condition 1.1 and 4.3 and and attracts a CCS score of 3.

ACTION - Submit a Part A notification to NRW without delay and ensure your notification procedure is properly implemented.

ACTION - Submit all outstanding **Part B** notifications to NRW by 28/02/18 - I will accept a consolidated Part A and B notification for November - December.

Please also note that the phosphate result of 7.7mg/l as detected 18/12/17 is higher than the result included in Form 1(a) for December - this appears to be an error, please amend in the report prior to resubmission as required by the action above.

Annual Returns

Thank you for submitting your annual returns. As discussed, we acknowledge that the data is of limited value due to plant commissioning. I note that the reporting template used for energy usage (form Energy 1) differs from the form included in the permit in that it is missing 'quantity' and only reports 'specific usage'. Please ensure the next return (January - December 2018) meets the requirements of the permitted reporting forms.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0032869**

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Operator/Permit holder	Maelor Foods Limited	Date	31/12/2017

Section 3 – Enforcement Response

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.

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.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	**CCS Category**	**Action required/advised**	**Due Date**
See Section 1 above			
G4	C3	Refer Details Section	28/02/2018
E3	C3	Refer details section	28/02/2018
E3	C3	Refer details section	28/02/2018
C2	C3	Refer details section	28/02/2018

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 verbally or 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 that 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 Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The 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 (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The 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

The 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 fifteen 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 officer's line managers using the informal appeals procedure. 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 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.