

Compliance Assessment Report

Report ID:
CAR_NRW0032396

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

Site	Celtic Chemicals Limited	Permit Ref	NP3634MU			
Operator/Permit holder	Celtic Chemicals Limited					
Regime	Installations					
Date of assessment	03/11/2017	Time in	10:00	Out	13:00	
Assessment type	Audit					
Parts of the permit assessed	Low Impact status					
Lead officer's name	Taylor, Richard					
Accompanied by						
Recipient's name/position	Rhys Woolcock/ Financial Director	Date issued	03/11/2017			

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
E2 - Emissions - Land and groundwater	C3	3.3.1

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

Celtic Chemicals Annual Audit – to Determine continued Low Impact permit status 3rd Nov 2017/2017

Personnel present

Rhys Woolcock – Financial Director (Celtic Chemicals Ltd)

Peter Cartwright – Head of Quality and Compliance (Celtic Chemicals Ltd)

Richard Taylor – Natural Resources Wales Site Inspector.

Background

Celtic Chemicals are a permitted site under the EPR Regulations and have held permit NP3634MU since August 2007. They are caught under the EPR Regs because they fall under section 4.2 Part A(1)(a)(iv) concerning the manufacture of inorganic chemicals through blending and repackaging.

The Company is privately owned and occupy a unit in the Kenfig Industrial estate. The site comes under the 'Low Impact Installation criteria of the EPR Regs and is required to meet these criteria at all times. Therefore this inspection constituted an annual inspection of the sites records as well as a site tour to ensure that the site still comes under the Low impact criteria.

Business Update

Peter Cartwright was appointed as Head of quality and compliance, and has been in position since 19th Dec 2016. Improvements to training and recording were evident during the audit. .

Low Impact Criteria Assessment

Criteria	Description	Demonstration of Compliance	NRW audit findings
Management Techniques	All the criteria described below must be met without having to rely upon significant management effort. The installation must have only a low impact , including under start-up, shut down, or abnormal operating conditions	General training carried out to staff all site staff. Personal log books are kept detailing each member of personnel's training records complete with certificates. All site staff are trained in core topics plus each department receives more specialised training.	NRW Officer was shown computerised training matrix which was split into 3 departments with each member of personnel listed together with the training courses attended a, the date passed and the next due date. The training record of Connor Jones

		Improvement to training and quality. No 14001 in place but pressure is increasing from customers is growing. The site intends to have an accredited ISO14001 system in place by Dec 2018. .	was focussed on. Connor was seen to have been trained in spillage response procedures on 1st March 2017. Spill procedure ref op0003-SO10001. Back up records in Connor's personal training file confirmed this. Connor's training file showed he has passed a suite of mandatory training courses; H&S, Fire, spillage response, hazard response, manual handling, plus job basics – all dated and signed 3rd March 2017. Good improvements in training provision and recording data on matrix was demonstrated. The company intends to improve this further by applying amber fields of text when refresher training is required.
Aqueous Waste	The Installation must not produce more than 50m³ per day of water from process activities conducted at the installation giving rise to effluent. No account need be taken of the volume of water exported from the installation as water.	Site used a registered waste transport and disposal company (Tradebe) to dispose of collected site effluent and bund rainwater. Waste transfer notes were made available. The last 3 were checked and showed a slowing down of the frequency of collection from last year (every 6 weeks) to this year (every 3 months) Tradebe WTN dated 5/10/17 carrying EWC code 06 03 14 was examined and showed 25 tonnes Acid wash collected Tradebe WTN dated 24/07/17 with EWC code 06 03 14 carrying 25 tonnes was seen. Tradebe WTN dated 13/04/17 – EWC 06 03 14 carrying 16 tonnes was seen.	All good WTN's seen on request. All Waste transfer notes are routinely held on site and available for audit on request. EWC 06 03 14 is a non-hazardous code used to describe Inorganic chemical processing – formulation and supply – solid salts and solutions not including heavy metals. Site needs to constantly evaluate the correct EWC codes are being used for site generated waste.
Abatement systems/releases to air	Compliance must be achieved without the reliance of abatement for releases to atmosphere. Releases must not be dependent upon equipment whose failure could result in an unacceptable external release, for example by using scrubbers, active abatement, filters or electrostatic precipitators to clean the emission to acceptable standards prior to release.	The site has no set limits in the permit due to the low levels released. No further abatements are employed. Personnel undergo individual exposure monitoring as part of the company health and safety management system. This confirms that exposure levels are minimal. Pontardawe Air Movements Ltd carried out tests on the effectiveness of the extraction system in Jan 2016. (Source CCL report L1). Same company is due to return –	The site does not have active abatement, but does have a variety of ducts and stacks which emit air from workers local areas. There is a dust extraction system through the roof has a charcoal filter as an extra measure. This is not viewed by NRW as a measure to clean the air emission prior to release to the environment because the emission is clean enough to be released without this measure in place. Site needs to schedule the annual inspection and maintenance of the extraction system to ensure it is operating effectively.

		remedial works need to be carried out before tests carried out – work will be c/o shortly but needs to be booked.	
Groundwater Regulations	There must be no planned or fugitive emissions from the permitted installation into the ground, or any soakaway.	Site reports no fugitive emissions took place to the ground since the last inspection in Feb 2017. All waste water is collected in a holding tank and periodically taken away by tanker for disposal as above. The site has a high level alarm fitted to alert when the tank reaches a given level, then the disposal company is called. An improvement item has been the containment inspection form. The last inspection was on 19th Oct 2-7 and showed 5 improvements to be made 1. Hole in sump tank – fixed 20/10/17 2. Sludge in sump tank – cleaned 25th 3. Leak from elbow pipe – replaced 23/10/17 4. Water level gauge on top of tank not working – repaired 23/10/17 5. Small leak from rear bund wall – not identified as being fixed. The form was signed by the Production Manager REF 'containment and inspection' form. The form is a welcome improvement, but the ordering of repair work should have identified the leaking bund wall as a higher priority for repair. A replacement tank has been priced up Site are currently evaluating whether to replace the current tank, or to roof it over as mentioned at the last audit. Site need to be proactive about replacing the tank not reactive – to incidents and leaks. Inspection shows a small leak in bund wall – evaluated as a Cat 3 breach of permit. Document dated 25th Oct 2017. Signed by Ian Thomas 25th Oct 2017. Substance in tank is acidic wash water with small contaminants of metals. The bund water is likely to be rainwater only, but there is potential for the tank contents to be mixed in and there is evidence of staining to the concrete plinth	No soakaways were seen on the site tour. The small leak from the bund wall was not viewed as a high enough priority. Breaching the low impact criteria for groundwater fugitive emissions will ensure the site loses its low impact status. The leak from the bund wall was investigated and found to be a potential source of pollution. There was staining to the ground immediately adjacent to the outside of the bund wall, but this was not identified as having been sufficient to prove that any liquid had reached the edge of the concrete plinth and become a pollution to groundwater. Because the leak was not given a higher priority for repair and no repairs have been carried out to the bund wall, advice and guidance is given to repair this bund wall as soon as practicably possible A Cat 3 breach of permit condition 3.3.1 is issued for this incident with a reminder that the low impact status held by site would be invalidated had the leak been proved to affect the groundwater off the concrete plinth. Site should regard the container and the bund integrity as a higher risk to the environment and the sites low impact status for future audits. The tank and bund were identified as needing higher priority in the last audit carried out Feb 2017. 'The integrity of the fibre glass tank is a concern for NRW as it represents the largest risk to the environment. Site need to have this inspected by a qualified engineer and the inspections need to take place on a scheduled basis which is aligned to the EMAS.

		through the bund wall. Immediate repairs are recommended to be carried out.	 Picture taken at Feb 2017 inspection showing tank and bund.
Waste Production	The installation must not give rise to more than 1 tonne of directive waste or 10kg of hazardous waste per day averaged over a year, with not more than 20 tonnes of directive waste or 200kg of hazardous waste being released in 1 day.	Site has purged stock – meaning that waste figures will not be representative of normal production process waste. Production figures would produce same wastes as previous years and meet Low impact criteria. Waste records for the year to date were seen and quantified as well below the LI thresholds.	Waste consignment notes were made available on inspection. Site has improved its waste reporting by including EWC codes. It is a legal requirement under the duty of care legislation and is required to be annotated onto the waste transfer notes.
Energy Consumption	The Installation must not consume energy at a greater rate than either 3MW or, if the installation uses a combined heat and power installation to supply any internal process heat, 10MW. These limits apply to the sum of energy imported as electricity and produced on site through the combustion of fuels.	There was no change in production processes from the last year where site met the LI requirements.	Clarification from last year's report is needed. I have included the alteration in bold characters to clarify this. it can be seen that the 3MW consumption rate is not a rate which is time dependent. The process consumes approximately 90kW according to the decision document which is less than 30 times the maximum rate. There have been no changes to the production process and no changes to the energy consumption rate.
Accident Prevention	The installation must at all times contain less than 10% of any lower tier qualifying inventory as set out in Schedule 1 of the Control of Major Accident Hazards Regulations (COMAH) 1999. For substances and preparations classified as Dangerous for the Environment, a relaxation of the 10% figure up to the lower tier qualifying inventory will be considered, provided that satisfactory	Site report that all hazardous chemicals are stored within UN approved packs in line with HSG71 guidance. Segregation and separation distances are adhered to. Storage and containment is regularly assessed and recorded. Site uses an external flammable store. No hazardous material is stored	NRW looked at the daily storage of chemicals throughout the site and saw well defined principles and procedures which follow the Lean principles and ensure that 'just in time' is operating meaning that there is no excess material stored within the site This is an improvement from the last inspection.

	containment measures to prevent fugitive emissions to surface water, sewer or land are in place and maintained at the installation at all times. The normal application rules for COMAH including aggregation of similar risk phrases apply to this test.	external to the process.	
Noise, Odour and Emissions from Polluting substances	There must only be a low potential for offence due to noise. There must be no likelihood of a release of any polluting substance from the whole installation to the environment at a rate greater than the determined as 'insignificant'. There must only be a low potential for odour	No complaints have been made to NRW regarding the site since it was granted a permit.	The site is positioned within a remote industrial estate surrounded by other units and backed by a railway line. Chances of complaints are remote.

Other issues raised at the last audit.

The site was displaying out of date material on the workplace notice board. One sign for Emergency contact details still referred to 'The Environment Agency' as a contact, yet Natural Resources Wales has been the regulatory body for Wales since Apr 1st 2013. – **Issue addressed with updated signage – NRW informed by email March 2017.**

Mislabelled WEEE skip

The site took delivery of a skip provided by Veolia which was incorrectly labelled as WEEE (Waste electricals). Site should ensure that the correct skip is delivered or ask the owner to return and change the label. Skip replaced. **New skip seen at Nov 17 visit, issue resolved.**

New LED Lighting

Site have undergone fitting of new LED lighting. An improvement would be to quantify any savings the new fittings have made.

EPR Compliance Assessment Report

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CAR_NRW0032396**

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Site	Celtic Chemicals Limited	Permit Ref	NP3634MU
Operator/Permit holder	Celtic Chemicals Limited	Date	03/11/2017

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.

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

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			
E2	C3	Repair bund wall to maintain integrity with immediate effect.	06/11/2017

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.