Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: BV8016ID/0205145

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

Site	Wrexham, Breakfast Cereals				Permit Ref	BV8016ID	
Operator/ Permit holder	Kellogg Company of Great Britain Ltd						
Date	06/02/2014				Time in	09:30	Out 11:45
What parts of the permit were assessed	Site visit to review recent incidents, review of quarterly monitoring, review of fugitive emissions						
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op		Water Discharge
Recipient's name/position	Nia Jones / Environmental Co-ordinator						
Officer's name	Aled Zachary				Date issued	21/03/2014	

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	A	
	2. Closure & decommissioning	NA	
	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	A	
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	C3	2.2.5.1
d) Incident management	**1.** Site security	A	
	2. Accident, emergency & incident planning	A	
e) Emissions	**1.** Air	A	
	2. Land & Groundwater	A	
	3. Surface water	A	
	4. Sewer	A	
	5. Waste	A	
f) Amenity	**1.** Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
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	N	
	2. Energy	N	

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, **O** = Ongoing non-compliance – not scored

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

	INITIALS	DATE
OK FOR PUBLIC REGISTER	AZ	29/4/14
COPIED TO PUBLIC REGISTER	JB	EDRM

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 normally completed within 14 days of an assessment.

Cyclone Fires / Thermal Events.

On the 8th of January 2014 North Wales Fire Rescue service were required to attend site due to a "hot spot" on one of the jet oven cyclones being detected. Each jet over has a bank of 8 cyclones for the abatement of particulate matter from the process. During routine monitoring with thermal imaging equipment a member of staff flagged a potential hot spot and the plant was shut down in accordance with the procedures (5hr staged shut down and 4hr cooling period). On inspection a small amount of dust was found to have lodged in the cyclone lagging, leading to the creation of the hot spot. Root cause analysis found the issue to have emanated from a hairline crack in at the top of the cyclone vortex allowing material to get into the space between the cyclone and the lagging. As a result a 12 month check via the explosion doors of all cyclones has been added to the preventative maintenance schedule on site, fibre optic camera points have also been added to all cyclones to monitor condition during start-up (approximately every 2 weeks) and added to part of the start up procedure.

On the 7th of February a similar but unrelated incident also required the attendance of NWFRS due to smouldering dust being present in a cyclone. On investigation it was found that the line pressure alarm on the cyclone had been set to high, which resulted in the operator not being alerted to the fact that the cyclone line was blocked. This allowed a build up of material and overheating of the cyclone. As a result the alarms have now been recalibrated so that operators will be notified of any pressure build up early and a further alarm whereby if it reaches this level a certain the plant would begin automatic shut down in a controlled manner.

These incidents were not formally reported via the Schedule 6 reporting mechanism as there was no potential for environmental impact due to the way they were managed by the site.

TruSweet Spill Incident.

Requirements - Condition 2.3.5 states that all plant and equipment used in operating the permitted installation, the failure of which could lead to an adverse impact on the environment, shall be maintained in good operating condition.

Findings - On the 14th of January 2014 security patrol on site identified a spill from the Glucose-Fructose syrup storage area. The tank had been installed in 2011 and had only been previously used for a short period before lying idle. During December 2013 a trial run of a new product was conducted that required the use of Trusweet, after this run the tank was emptied and cleaned, whereby the drain valve was inadvertently left open. As a result, when the tank was refilled with syrup for another production run on the 14th of January the product began to spill from the valve and into the bunded area. On the evening of the 14th security staff identified the spill, with syrup observed leaking through the bund wall and into adjacent surface water drains. Spill kits were deployed and S/W penstock valves closed as a precaution.

(cont.)

On investigation is was found that a hygiene sink retrofitted to the bund wall by contractors Jacobs had resulted in service pipes being drilled through the bund wall, compromising its integrity during the spill. The work had been carried out under the "permit to work" system but had not been verified afterwards. The spill was identified on the same day as the tank was filled, so it is estimated only a small volume of syrup was lost, although the quantity lost cannot be verified.

This incident has been scored as a CCS Category 3 breach of the permit requirements.

As a result of this incident Kellogg's have repaired the bunding and reconfigured the external drainage so it now forms part of the process drainage to provide further tertiary containment. A new work instruction regarding the delivery of trusweet has been developed and rolled out to the relevant staff, a site wide memo has also been issued to contractors regarding bund modifications, all other bund structures on site have been checked to ensure they remain compliant / structurally sound. As a result of these actions a repeat of this kind of incident is deemed unlikely.

Fugitive Emissions Report.

Requirements **-** Condition 4.1.4 requires the operator to review fugitive emissions, having regard to the application of BAT, on an annual basis and a summary report of this review shall be sent to NRW detailing such releases and the measures taken to reduce them within 3 months of the end of such period.

Findings **-** The report dated January 2014 has been reviewed and found to be satisfactory.

Reporting of Emission to water and sewer Q3 2013/14.

Requirements **-** Conditions 2.10.1 & 2.10.2 require the operator to maintain an emissions monitoring programme to the frequency detailed in table 2.10.1. The results of this monitoring shall be submitted for review as detailed in condition 4.1.2 and Schedule 2 of the permit.

Findings **-** Monitoring of emissions to surface water and sewer have been received for the period 1st October 2013 - 31st December 2013. Monitoring results show all emissions to be compliant with the permit limits.

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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			
C4	C3	The site should investigate the feasibility of fitting a level monitoring alarm(s) or some method of monitoring the inventory of the Glucose-Fructose Syrup tank in order to detect losses from this asset more rapidly in future.	30/06/14

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 Natural Resources Wales (NRW) to fulfill 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 (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 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 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 607 0987.