

Compliance Assessment Report

Report ID:
CAR_NRW0032816

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

Site	Kelloggs EPR/BV8016ID	Permit Ref	BV8016ID		
Operator/Permit holder	Kellogg Company of Great Britain Ltd				
Regime	Installations				
Date of assessment	02/02/2018	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Monitoring returns Q2-Q4 2017, annual reporting requirements adn Part A/ B notification Jan 2018				
Lead officer's name	McGregor-Andrew, Sian				
Accompanied by					
Recipient's name/position	Darran Edwards/ Environmental, health and safety manager	Date issued	02/02/2018		

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
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
E4 - Emissions - Sewer	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Quarterly monitoring returns- emissions to sewer and water

Returns for the periods 1 April to 30 June (Q2), 1 July to 30 September (Q3) and 1 October to 31 December (Q4) were received as required by permit condition 4.1.2.

Monitoring for each period was carried out in accordance with conditions 2.10.1 and 2.10.2 and contained results for the determinands and periods specified in Table 2.2.5 (water) and 2.2.7 (sewer).

All monitoring results are within the permitted limits and submitted within the required timescales.

Annual monitoring returns

Annual monitoring returns for emissions to air and sewer, water and energy usage, waste disposal and recovery and performance indicators was received as required by conditions 4.1.2 and 4.1.3.

It is noted that the installation and commissioning of a new production line in 2017 and trialling of new products have had a related increase in energy consumption and waste production. Water use has decreased in relation to 2016.

Monitoring results for emissions to air indicate an increase in oxides of sulphur from previous results at emission point A21 in the monitoring undertaken on 15/06/2017. This elevated result was investigated at the time of the monitoring exercise and no abnormal operation or other issues with the process or emission point A21 were found. Subsequent monitoring results undertaken in January 2018 are within normal range, therefore the operator believes this elevated reading to be erroneous. There is no emission limit value associated with this emission point.

Form A1 will need to be updated for 2018's annual return to include particulate monitoring for emission points A26-A29 as required by the updates to Tables 2.10.1 (other monitoring requirements), S.2 (reporting of monitoring data) and S.3 (Reporting forms) in permit variation BV8061D/V007 issued on 19/10/2017.

The SGS Recertification and Surveillance audit reports for the site ISO14001:2014 environmental management system were received on 19 Jan 2018. No major non-conformances were identified by the audits; one minor non-conformance was highlighted.

Schedule 1 Part A and B notifications

Following initial notification by telephone a Part A notification was received on 18/01/18 in relation to an increase in COD in the surface water balancing ponds above the internal trigger limit of 70mg/l. An investigation was started and the surface water discharge points were closed and further testing undertaken to monitor water quality in the ponds, which remained closed until the water quality improved to meet the COD limit.

Analysis of samples taken on 17/01/18 at the time of the internal trigger limit exceedance and repeated on 24/01/18 indicate that although the internal action trigger for COD was exceeded the sample analysis results for BOD and suspended solids are within the permitted limits.

A Part B notification was received on 29/01/2018 following completion of the investigation, which identified a filter bag becoming detached from a local exhaust ventilation point causing a release of dust to the factory roof, which was then blown into the surface water drainage system in windy conditions. The equipment in question has a PPM schedule in place and was serviced in line with that schedule in 2017. The frequency of filter bag replacement has now been increased from annual to bi-annual to prevent a recurrence of this incident.

EPR Compliance Assessment Report

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Operator/Permit holder	Kellogg Company of Great Britain Ltd	Date	02/02/2018

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.

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			

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.