



EPR Compliance Assessment Report

Report ID: BX4666IZ/0195762

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

Site	St Asaph Infra Red Optics	Permit Ref	BX4666IZ		
Operator/ Permit holder	Qioptic Ltd				
Date	12/11/2013	Time in	10:00	Out	15:30
What parts of the permit were assessed	OMA Audit of emissions to air				
Assessment	Site Inspection	EPR Activity	Installation	X	Waste Op
					Water Discharge
Recipient's name/position	Debbie Roberts/Environmental & COSHH Engineer				
Officer's name	Lara Cubley	Date issued	10/12/2013		

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	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	A	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	C4	1.3
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
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	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 (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)	0.1
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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

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

OMA Audit of Emissions to Air

This audit also looked at emissions to air from BP Low Impact Installation Permit Number JP3536LS.

OMA audit conducted returned a score of 79% for monitoring of emissions to air.

Compliance

C2 Management Systems and Operating Procedures - Condition 1.3 Some improvements are required to procedures to ensure that Condition 2.10.7 can be met. This is the requirement to ensure that monitoring is conducted to MCERTS standards.

Actions

See Section 4.

The Operator must also review the recommendations made in the OMA report and act appropriately.



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Operator/ Permit	Qioptic Ltd	Date	12/11/2013

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			
C2	C4	Some improvements are required to procedures to ensure that monitoring required by the Permit is certified or accredited to MCERTS standards. The Operator must also seek permission if monitoring methods required are to be changes.	Prior to next monitoring
		The Operator is advised to review recommendations in OMA report and take necessary action.	Prior to next monitoring

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.

OMA Report – Emissions to Air – EPR

Summary sheet		
Permit Number: BX4666IZ/ JP3536LS		Compliance Officer: Lara Cubley
Operator: Qi Optiq		Auditor (if different):
Emission Point(s): A2, A5, A7, A10, A11, S1/ – A1 – A4		Others Present:
OMA Sections		SCORE
OMA 1 – Management of monitoring		18/25
OMA 2 – Periodic monitoring and test laboratories		36/40
OMA 3 – Continuous monitoring		
OMA 4 – Quality assurance		21/30
		OVERALL SCORE
		79%
OVERALL SITE ASSESSMENT COMMENTS		Letter
		Variation
		Enforcement
Date of audit: 12/11/13		
Signed: L Cubley		
Date: 06/12/13		

OMA Report – Emissions to Air – EPR

OMA 1: Management of monitoring		
OMA ELEMENTS	SCORE	COMMENTS
A. Documentation of management system procedures for monitoring	4	Procedures are in place for scheduling monitoring but not all are documented. Such procedures could be documented and improved, particularly for control/appointment of contractors to ensure they have all the MCERTS accreditation, as required by the Permit prior to appointment. It is acknowledged that this contract has been set up for some time with a change of staff since. Documentation relating to appointment of the contractor was not audited today. SSPs are produced in advance of monitoring by contractor. Monthly sampling of S1 conducted by DCWW and Chemist.
B. Organisational structure for monitoring	4	The Optical shop procedure dated 15/02/13 states responsibility of Environmental and COSHH Engineer for monitoring and reporting as required by the Permit.
C. Schedules and planning of monitoring, including contingencies	4	SHE system has an access database with monitoring entered annually and reminders generated.
D. Monitoring records and use of monitoring data	3	Monitoring data and contractor's reports are reviewed and an action plan put together as required. It is recommended that a documented procedure be followed to ensure results are reviewed and data used appropriately. This should cover Permit compliance and trending, review against initial risk assessments (H1), provision for escalation, process operation improvements, and sharing with management.
E. Understanding the requirements of the permit and monitoring methods	3	Environmental and COSHH Engineer works with contractors to ensure monitoring is conducted appropriately. No formal OMA training to date. MCERTS Awareness training is recommended.
OMA 1 – SCORE	18/25 72%	
SUMMARY COMMENTS FOR OMA 1		
The following improvements are recommended:		

1. Documented procedures should be improved, particularly for control/appointment of contractors to ensure all testing has MCERTS accreditation, as required by the Permit prior to appointment.
2. Provision of a documented procedure to ensure results are reviewed and data used appropriately. This should cover Permit compliance and trending, review against initial risk assessments (H1), provision for escalation, process operation improvements, and sharing with management.
3. MCERTS Awareness training is recommended for the Environmental and COSHH Engineer responsible for management of monitoring emissions to air.

OMA 2: Periodic monitoring and test laboratories		
OMA ELEMENTS	SCORE	COMMENTS
A. Sampling provisions <i>Critical Element</i>	3	Some of the monitoring access ports do not appear to meet the requirements of M1. In particular, some locations (A2) do not have properly constructed and sealed access ports. They are currently sealed over with tape. Other access ports complying with M1 were noted, such as A1. Monitoring reports state that improvements to some monitoring access ports are required to meet the standards of M1. The Operator should review the monitoring access ports and provisions against the requirements of M1 and instigate a programme of improvements required.
B. Certification of equipment	5	Contractor has MCERTS but the scope of the accreditation should be checked to ensure it covers the equipment used for the monitoring undertaken at Qi Optiq.
C. Measurement methods and standards <i>Critical element</i>	4	The Contractor is using BS EN 13526 for measurement of VOCs instead of BS EN 13649 as required by the Permit. Other methods generally follow standards required. However, as above, the scope of the accreditation should be checked to ensure it covers the determinands and methods required. Score of 4 given to reflect 3 for where Permit standards not employed, and 5 where they are.
D. Calibration methods <i>Critical element</i>	5	MCERTS Contractor employed.
E. Frequency of maintenance and calibration	5	As above.
F. Reliability of equipment (data availability)	5	As above, reliability is over 95%.
G. Breakdown response	4	Contractor employed for annual monitoring. A back up approved contractor may be advisable in case issues occur.

H. Traceability	5	UKAS and MCERTS methods employed. However, some verification that the accreditation covers all employed on site is required.
OMA 2 – SCORE	36/40 90%	

SUMMARY COMMENTS FOR OMA 2

The following improvements are recommended:

1. The Operator should review the monitoring access ports and provisions against the requirements of M1 and instigate a programme of improvements identified.
2. The scope of the contractor's accreditation should be reviewed to ensure it covers determinands, equipment and methods employed at the site. This should include MCERTS and UKAS for lab testing. A full Schedule of Accreditation for all contractors is available on www.UKAS.org/test.

OMA 3: Continuous monitoring		
OMA ELEMENTS	SCORE	COMMENTS
A. Provisions for monitoring and location of CEMs <i>Critical Element</i>		
B. Certification of CEMs		
C. Calibration methods <i>Critical element</i>		
D. Frequency of maintenance and calibration		
E. Reliability of equipment (data availability)		
F. Breakdown response		
G. Traceability		
OMA 3 – SCORE		
SUMMARY COMMENTS FOR OMA 3		
This section of the report is not applicable. However, continuous monitoring is conducted on the BP coatings. The calibrations were checked for the two continuous Honeywell monitors (Halides) and 1 HF monitor from the microwave. These are in calibration until January 2014.		

OMA 4: Quality assurance		
OMA ELEMENTS	SCORE	COMMENTS
A. External quality control schemes	5	MCERTS contractor employed. See earlier comments on verifying the scope of the accreditation.
B. Internal data quality control	3	See section 1D.
C. Competence of monitoring personnel	5	Monitoring personnel employed on site are all stated to have attained MCERTS Level 2. This should be verified by certificates and the scope of the accreditation must be relevant to the tests employed on site.
D. Auditing of monitoring	2	Although the Operator does check on the Contractor and calibrations there is no formal auditing plan or procedure to specifically cover monitoring. Such checks are not formally reported. It is recommended that auditing procedures at the site include monitoring and that such audits are documented.
E. Audit compliance	2	See above.
F. Reporting	4	Reporting is generally of a good standard. Process conditions during monitoring are included but not to the extent that it is confirmed which rare earths are being machined at the time of monitoring. However, this information can be made available.
OMA 4 – SCORE	21/30 70%	
SUMMARY COMMENTS FOR OMA 4		
The following improvements are recommended: 1. Monitoring reports should include further detail on the process conditions at the time of monitoring, particularly the rare earths being machined. 2. MCERTS Level 2 attainment for monitoring personnel must be verified by certificates and the scope of the accreditation must be relevant to the tests employed on site. 3. It is recommended that auditing plans and procedures at the site be expanded to include monitoring. Such audits should be documented. Please see attached proforma for monitoring audits.		

