Cyfoeth Naturiol Cymru Natural Resources Wales	EPR Compliance Assessment Report	Report ID: VP3235HS/0191105

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

Site	Farmers Boy (Deeside) Ltd			Permit Ref	VP3235HS		
Operator/ Permit holder	Farmers Boy (Deeside) Ltd						
Date	01/10/2013			Time in	10:30	Out	14:00
What parts of the permit were assessed	Improvement condition compliance and action from audit of 22/07/13.						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Lee Faulkener, Services Manager						
Officer's name	Lara Cubley			Date issued	17/10/2013		

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	N	
c) General management	1. Staff competency/ training	C3	1.1.1 (b)
	2. Management system & operating procedures	C3	1.1.1 (a)
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	C3	1.1.1 (a)
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	C3	3.1.2
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	C3	**4.2.3**
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

Number of breaches recorded	5	**Total compliance score** (see section 5 for scoring scheme)	20

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	L.C.	19.10.13
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 completed within 14 days of an assessment.

Lara Cubley met with the Maintenance Manager and Engineering Manager to review progress with Permit Improvement Conditions and Action from the previous audit of 22/07/13.

Please note that there are serious concerns with the ability of the site to meet its permit requirements. We are now considering what enforcement action is appropriate and will notify you in due course.

Improvement Conditions Table S1.3

IC 2 – The SEC was submitted to NRW on 31/01/13 as part of the annual returns.

IC 3 – An audit report covering energy efficiency commissioned centrally and dated July 2013 was tabled. This included the Deeside site. A copy must be forwarded to NRW. The Operator informed us of another 3 day audit conducted in August. Advice and guidance was given to the Operator on producing an Energy Efficiency Plan and a link to H2 Energy Efficiency guidance has been provided. The Operator must confirm the findings of the audits and submit the summary of an Energy Efficiency Plan as required by the improvement condition by 31st October 2013.

IC 4 – Having added 5 sub meters, bringing the total to 9 the Operator has improved measurement and recording of water usage at the site. The water usage recording spreadsheet must be forwarded to NRW. However, a written report meeting the requirements of improvement condition 4 is yet to be submitted. In particular this must detail the significant points of consumption, location of meters, type of meters, reading, recording, and reviewing frequencies and procedures as per guidance discussed. A report to meet the requirements of improvement condition 4 shall be submitted to NRW by 31/10/13.

IC 5 – As per improvement condition 3 the July audit report suggests a heat recovery project for Deeside with estimated payback. However, as this is being managed centrally site management were reluctant to commit to anything until further interface and links are made with this project. Advice and guidance was given regarding the requirements of a feasibility study (BAT assessment) and the operator is still to meet this requirement locally. The Operator is to confirm exactly where they are up to with this project with a clear timetable towards meeting the requirements of improvement condition 5 by 31/10/13.

IC 6 – A PPM schedule was tabled at the meeting, improvements to procedures and accident management pertaining to the ETP have also been made. However, advice and guidance was given to the Operator on reviewing current practice against what is considered BAT in the Sector Guidance so as to meet the requirements of this improvement condition. The Operator shall submit such details in writing together with appended procedures for process control, monitoring, and PPM schedules so as to comply with the requirements of this improvement condition by 31/10/13.

Actions from previous Compliance Assessment Report (CAR) audit 22/07/13

The Operator claims to have not received this CAR despite it being sent by e-mail on 02/08/13 to the Maintenance Manager, Engineering Manager, and General Manager.

B5 – Environmentally critical plant at the ETP has been placed of the site PPM programme.

C1 – The Operator has yet to comply with this action and a training plan is still required. CIEH Level 2 Environmental Principles and Best Practice course is in the process of being procured. Advice and guidance was given on production of a training plan and the requirement for a higher level of training for key management responsible for environment. The Operator agreed to confirm in writing on further interface with HR when a plan will be produced and submitted by 11/10/13. This plan has not been received.

C2 – The Operator is yet to complete this. The Operator plans to add permit reporting deadlines to maintenance schedules as automatically flagged reminders. Part A and B reporting requirements are included for ETP limits. However, other emergency reporting notification requirements need to be addressed. The Operator must confirm in writing to NRW how this action is being fully addressed by 31/10/13. This must include a screen shot of maintenance schedule to demonstrate additions.

D2 – The site emergency procedures need to be updated to include outcomes from the site impact assessment and risk assessment.

E4 – The Operator supplied a copy of a Trade Effluent consent variation application signed and dated 15/08/13 to increase the volume of the discharge. The Operator was advised to set trigger limits below those required by the permit. Thus some headroom is factored in to act early and enable compliance.

G4 - Report for discharge to sewer not submitted for Jan - June 2013. Requirement 4.2.3 of the permit.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: VP3235HS/0191105

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

Site	Farmers Boy (Deeside) Ltd	Permit	VP3235HS
Operator/ Permit	Farmers Boy (Deeside) Ltd	Date	01/10/2013

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

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			
C1	C3	Operator to identify and plan environmental training required for staff. Environmental training to be incorporated into toolbox talks and site induction. ETP staff to receive further training. Operator to produce a training plan for the site.	31/10/13
C2	C3	Operator to confirm in writing their management procedures to allow the site to meet reporting deadlines eg. Improvement conditions deadlines, Part A and B reporting deadlines, monitoring returns.	31/10/13
D2	C3	The site emergency procedures need to be updated to include outcomes from the site impact assessment and risk assessment.	31/10/13
E4	C3	Site to provide a plan with timescales to show when they expect to be in compliance with the permit emission limit values and the discharge consent limit for discharge to sewer. This should include details of expected variation to discharge consent, the addition of a holding tank and a BAT review for the ETP.	31/10/13
G4	C3	Operator to submit report for emissions to sewer as required by permit condition 4.2.3 for Jan - June 2013.	31/10/13

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.