

Compliance Assessment Report CAR_NRW0040016

Permit being assessed: BV5858IW.

For: Pyle Waxes EPR/BV5858IW, held by Abril Industrial Waxes Ltd

At: STURMI WAY VILLAGE FARM INDUSTRIAL ESTATE , PYLE, CF33 6NU.

Type of assessment carried out: Unknown, Reason: Other.

On 13/06/2022.

Parts of permit assessed: Infrastructure

NRW Lead Officer: Dale Padfield.

Report sent to: Hugh McAulay , Managing Director on 13/06/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B4 - Infrastructure - Containment of stored materials	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

No action required.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Abril Industrial Waxes

Permit Number BV5858IW

Abril Waxses were tasked with six actions in compliance report **CAR_NRW0039874** as result of the incident that occurred on the 26th of April 2022, the actions are listed are detailed below.

- **Action 1;** *Abril Waxses to have the effluent tank bund repaired using suitably resistant material as soon as possible. Provide NRW with the date this work will be completed as soon as this information is available*
- **Action 2;** *Abril waxses to provide NRW with the volume of effluent obtained from the drain pumping.*
- **Action 3;** *Abril Waxses to Implement an inspection regime for the effluent tank bund to cover the period until repairs have been completed. Abril should consider an increased frequency during this period, due to increased risk.*
- **Action 4;** Abril waxses to implement an inspection regime within their management systems for the effluent tank bund once repairs have been completed and to document these inspections so that they can be inspected at a later date.
- **Action 5;** Update the site emergency plan to cover failure of the effluent bund. And replace legacy information regarding the EA with NRW and change associated NRW incident phone number to 0300 065 3000. Please send the updated plan to NRW upon completion.
- **Action 6;** Please provide NRW with a copy of your effluent consent form from Welsh Water Dwr Cymru (WWDC).

There was also one outstanding action from **CAR_NRW0039001** which was to repair the rendering of the detreating bund, which referred to the bund for the steric acid and EDA tanks.

The following responses were received from Abril Waxses and the 13th of May and 5th of June 2022.

- **Action 1;** Abril provided an update on the 13th of May and the effluent tank bund repairs were conducted on the 22nd and 23rd of May. **This action is now considered complete.**
- **Action 2;** Abril provided an update on the 13th of May stating “No effluent was pumped from the drain, what appeared to be a blockage was in fact effluent held in the ‘drain trap’ consequently all the lost effluent entered storm drain system. **This action was accepted on the 13th of May is considered Complete.**
- **Action 3;** Abril stated on the 13th of May, “all supervisors have been instructed in the correct usage of the bund. It will no longer be used as a secondary tank under any circumstances. Until repairs are conducted, effluent bund is inspected twice per shift, that is six times per day, to ensure that our effluent tank is not leaking into the bund. If there is any evidence that it is, or even if it might be, we stop production immediately and initiate the plan that we implemented when we had the containment failure. **This action was accepted on the 13th of May and is considered complete.**

- **Action 4;** Abril have stated they now have a bund inspection regime in place, utilising the services provided by the environmental consultants that undertook the repairs. An annual visual inspection will be conducted and recorded with scope to conduct a more intensive inspection when required. **This action is now considered complete.**
- **Action 5;** Abril have updated the site emergency plan (Issue 12 May 2022) and have included a section on bund failure. Legacy information and phone numbers have been updated. **This action is considered complete.**
- **Action 6;** A copy of the trade effluent consent was received on the 13th of May. **This action is considered complete.**
- **Action from CAR_NRW0039001;** Abril have stated “the bund surrounding the bulk storage facility has been made good; the brickwork has been fully repaired and the bund walls and floor have been completely re-lined on the inside. **This action is now considered complete.**

Abril have also implemented a new procedure for emptying liquid from the bund, detailed in SOP0745, highlighting that the bunds are secondary containment systems, are not designed to routinely hold liquids and are not to be used as holding vessels. NRW welcomes this change of procedure.

All outstanding actions are now considered complete.

END.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.