

Compliance Assessment Report

Report ID:
CAR_NRW0032930

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

Site	Sims Group U K Ltd (fridge Plant)	Permit Ref	KP3195FW			
Operator/Permit holder	Sims Group U K Ltd					
Regime	Installations					
Date of assessment	14/02/2018	Time in	11:00	Out	13:00	
Assessment type	Report/Data Review					
Parts of the permit assessed	Monitoring returns					
Lead officer's name	Willey, David					
Accompanied by						
Recipient's name/position	Georgina / SHEC Systems Controller and Environment Advisor	Date issued	22/02/2018			

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
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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

Sims Fridge plant – EPR/KP3195FW

Site meeting on 14th February 2018

Review of previous actions.

A meeting was requested by SIMs to discuss the associated actions from the CAR Form issued on the 8th January 2018. The following actions were discussed with the resulting comments.

Actions carried over:

ACTION: Please could SIMs provide details of how the actual flow rate is measured / controlled. The process is 'balanced' with nitrogen with a flow rate of 50m³/hr that appears very low. – ***Completed.***

SIMs confirmed that the flow rate is 50m³/hr. The exit velocity is unknown but could be calculated based on other parameters.

The use of the nominal flow rate was discussed with NRW querying whether this was the exit velocity rather than the flow. SIMs confirmed that the value is the flow rate and explained that although the flow rate may be high on some occasions during the monitoring round it is not a clear reflection of the collection efficiency of the process. Plant 1 had a series of high monitored values from May to September with the months after not being monitored due to the plant not being operational when MTD attend site to undertake monitoring.

Investigations were carried out with the condensation temperature control panel for the process gas identified and has now been adjusted to bring the CFC emissions down into compliance.

There is continuous monitoring undertaken that is not recorded but is used as part of the sites process control. This is displayed on the console that is manned during operation. Any elevations in the concentrations at this point will be noted by the console supervisor and flagged to the supervisor. This process was not being followed across all shifts but has now been flagged as vital to ensure control of the process and the associated emissions.

ACTION: SIMs to ensure that the process controls associated with the console and the condensation temperature control panel are reflected in the sites EMS.

ACTION: SIMs to provide the stack diameter of emission point 3 that serves both fridge plant 1

and 2. – *Completed.*

A stack diameter of 50mm was provided by SIMs. When using the flow rate of 50m³/hr (0.014m³/s). Using these parameters an exit velocity of 7.07m/s can be calculated.

ACTION: SIMs to ensure breaches of the limits in Table S3.1 are submitted to NRW using the Notification Form in Schedule 5 of the permit. – *Completed.*

SIMs confirmed that any breaches recorded on site will be submitted to NRW using the Notification Form.

ACTION: Please could SIMs provide the continuous monitoring data for 2016 to enable trending to establish typical concentrations and emission rates. – *Completed.*

SIMs confirmed that this data is not recorded and does not meet MCERTs requirements (and is not a requirement of the permit). This data is used for process control only.

ACTION: SIMs to make available the maintenance checks undertaken and frequency of checks as well as where this fit in the sites EMS. – *Completed.*

ACTION: SIMs to provide a copy of the critical components list that is stored on site to prevent unnecessary delays in the event of a breakdown. – *Completed.*

ACTION: Inconsistencies have been identified between your waste returns and the hazardous waste returns received. For Q1 2017 we have the consignment note with over 8000 tonnes whilst the waste returns do not reflect this amount. Please could you clarify? – *Completed.*

SIMs have historically not submitted waste returns as they submit this information as part of their performance parameters in Table S4.2 of the permit. NRW explained that permit condition 4.2.5 of the recently updated permit requires waste returns to be submitted. This will enable audits of the consignment notes and the waste returns to be undertaken. SIMs informed NRW that there will be differences in the data within the performance parameters and the waste returns as the data on the performance parameters includes waste still stored on site.

ACTION: SIMs to complete the forms provided by NRW regarding the transfrontier shipment of waste. – *Completed.*

Actions following CAR Form issued on 9th January 2018

ACTION: SIMs to provide details of how the site intends to bring the emissions from plant 1 back into compliance. – Ongoing.

ACTION: June, July, August and September reflect the exact same tonnages for each month for HC blowing agents, Total weight of CFC R12 and actual recovery of blowing agent. Please confirm that this data is correct? – *Completed.*

SIMs have provided amended forms.

ACTION: SIMs Group UK Limited to provide the calculations used for reporting to the E-PRTR. – *Completed.*

BREF update

The Waste Treatment BREF and associated BAT Conclusions are due in 2018. When these are published NRW will discuss with SIMs what is considered to be BAT for the site.

Details for the Final Draft can be found at the following link:

<http://eippcb.jrc.ec.europa.eu/reference/wt.html>

Health and safety

ACTION: NRW to produce and provide a draft version of the visitor's sheet to SIMs to ensure the sites Health and Safety requirements are met by NRW staff. – *Completed.*

SIMs provided the sites Health and Safety induction pack to enable NRW to produce a visitor's sheet to ensure all appropriate safety gear is worn by NRW staff.

ACTION: NRW to draft their health and safety checklist to ensure SIMs health and safety requirement are met by NRW staff.

Environmental Management System

ACTION: SIMs to provide NRW with the latest version of the sites EMS. – *Completed.*

SIMs have provided the latest version of their Operating Techniques dated February 2018.

European Pollutant Release and Transfer Register

The submitted E-PRTR returns were discussed. The 2015 return was 15.1kg and for 2016 the return was 153kg. The difference in submissions is due to the 2015 data not representing a full years' worth of data as the permit was issued in July 2015 due to the implementation of the Industrial Emissions Directive.

Waste returns

The submission of quarterly waste reruns was discussed in line with condition 4.2.5. SIMs confirmed that they will be submitting waste returns to NRW that will include the hazardous and non-hazardous wastes. Hazardous waste consignments notes will continue to be required.

Annual returns for 2017

Following the high CFC concentrations in foam content of plastic samples in 2017 a new filter system has been installed.

For emissions to air from plant 1 emissions were found to be elevated when the monitoring was

carried out. Monitoring is required monthly with MTD attending site unannounced to undertake the monitoring. This sometimes coincides when the plant is not running and therefore no monitoring is undertaken. As discussed the condensation temperature control for the process gas has been adjusted bringing emissions down. The site has continuous monitoring of emissions to air that acts as a process control. This data is not recorded but acts as a trigger for staff to investigate and adjust the process to control emissions.

Performance

Correction for 2017 submissions for July, August and September have been submitted correcting HC refrigerants, HC Blowing agents, total weight of CFC R12 and actual recovery of blowing agent,

Performance 1 return has been submitted for 2017 quarter 4.

The concentrations are based upon CFC emissions per fridge that are from historic research. Emission concentrations per fridge has reduced as well as the density of the gases changing in modern fridges. Current calculations are based on data in the guidance document 'Guidance on the recovery and Disposal of Controlled Substances Contained in Refrigerators and Freezers'.

ACTION: NRW / SIMs to look at demonstrating recovery efficiencies at the site.

ACTION: Confirm October and November figures recorded for '*Others*', both submissions are for 419,000kg.

END

EPR Compliance Assessment Report

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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.