

Compliance Assessment Report

Report ID:
CAR_NRW0019585

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

Site	Newport Oil Treatment Plant EA/EPR/UP3336LT/V003	Permit Ref	ZP3334AQ
Operator/Permit holder	Hydrodec (UK) Limited		
Regime	Installations		
Date of assessment	19/05/2016	Time in	N/A
Assessment type	Report/Data Review		
Parts of the permit assessed	4.2.1 and 4.2.2 Year End reports		
Lead officer's name	Green, Rebecca		
Accompanied by			
Recipient's name/position	Adrian Saunders/ HSEQ Manager	Date issued	23/05/2016

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
A1 - Specified by permit	A	
C1 - General Management - Staff competency/training	C4	1.1.1 (b)
C2 - General Management - Management system and operating procedures	C3	4.2.1
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
E4 - Emissions - Sewer	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	4.2
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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

The first performance report for 2015 was received on 10th March 2016. This referred to the waste transfer operation, Waste Management Licence (WML) MB3290HT and was incomplete. The report was not accepted.

The final, correct, report was received on 19th May 2016, after several earlier issues were not accepted.

Production decreased by 25% when compared with 2014. Electricity usage per tonne of production increased by more than 90%, water usage increased by 23% and gas oil consumption decreased significantly. These changes are mainly due to the change of company ownership in April 2015 and the consequent change of product focus at the site.

The performance report for 2015 is accepted.

Forms WU1, water usage and E1, energy usage for 2015 were received on 12th May 2016. The incorrect permit number was quoted. The report was not accepted. The final, corrected forms were received on 19th May 2016 and were accepted.

Permit Conditions 4.2.1 and 4.2.2 require the operator to submit certain reports about site performance and resource use by the end of January for the previous year. The report format and forms to be used are described in the permit.

Despite repeated requests and reminders Hydrodec did not send the reports for 2015 to Natural Resources Wales (NRW) until May 2016. The reports were not in the correct format and basic production information was missing. This infers that the management system is not robust enough to cope with changing personnel and that there may be some confusion about the requirements of an EPR installations permit compared with those for a Waste Management Licence.

Hydrodec have therefore been issued with one Cat 3 and two Cat 4 non-compliances for weaknesses in the management system, understanding of permit conditions and monitoring and reporting to NRW. The corrective actions required and their due dates are given on page 3 of this Compliance Assessment Report form. Failure to complete these actions by the due dates will result in further non-compliances being issued. In order to assist Hydrodec, NRW will visit and explain the EPR permit requirements and the performance levels that are expected of EPR installation permit holders. NRW will audit the data gathering and reporting systems by the end of the second quarter of 2016.

END.



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EPR Compliance Assessment Report

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Site	Newport Oil Treatment Plant EA/EPR/UP3336LT/V003	Permit Ref	ZP3334AQ
Operator/Permit holder	Hydrodec (UK) Limited	Date	19/05/2016

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.

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.

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			
G4	C4	Improve system so that information can be gathered throughout the year and submitted to NRW as a year end report by 31st January each year.	24/06/2016
C2	C3	Improve data recording and ensure all parties that need to are able to retrieve it easily.	24/06/2016
C1	C4	Improve training and ensure enough people understand the EPR installation permit and its requirements.	10/06/2016

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 reports 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 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.