

Compliance Assessment Report CAR_NRW0040494

Permit being assessed: BV8024IW.

For: Llangefni Dairy EPR/BV8024IW, held by Glanbia Cheese Ltd

At: Glanbia Cheese Ltd Glan hwfa Road , Llangefni, Anglesey, LL77 7TT.

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

On 09/09/2022 between 08:30 and 11:00.

Parts of permit assessed: 1. Management, 3 Emissions

NRW Lead Officer: Anthony Roberts.

Report sent to: Baron Walkden, HSE Manager on 06/10/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	C3 Minor	1.1 Management, 3.2.3 Emissions of substances not controlled by emission limits

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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?

Criteria	Action needed	Complete by
B1	Expedite actions detailed in CAR form by stated dates.	30/11/2022

Action criteria codes are listed in the 'Important information' section below.

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

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BUNDING AND POLLUTION CONTROL FOLLOW UP AUDIT

09 September 2020

08:30 – 11.00hrs

FINDINGS AND ACTIONS

Following the brine spillage incident which occurred at the site on the 15th March 2022, a number of other issues, including site bunding and storage, were identified as requiring action. Therefore, a follow up audit was undertaken by NRW on the above date accompanied by Baron Walkden, Site HSE Manager. The following aspects were assessed in relation to the permit and associated documentation:

BUNDING

Bunding is inadequate across some parts of the site and should be reviewed for the whole site. Due to the proximity of the sites two parallel drainage ditches to the River Cefni, any tanks/pipes that rupture, leak or are damaged increase the risk of a pollution incident. Many of the large tanks and storage areas have only partial bunding or are not fully bunded to CIRIA 736 standards. Some pipework sits on top of the bund wall and therefore a burst or damaged/leaking pipe would discharge outside the bund negating the effectiveness of the protection accorded by the bund. There are multiple IBCs stored in different parts of the site, some in areas designated a clean surface water drainage areas.

During the audit there was a pressurised pipe leak which resulted in the spraying of what appeared to be dilute whey beyond the boundary of the immediate bund. Although there was no environmental impact from this incident it should be reviewed in the context of the above.

ACTION: Submit to NRW a revised bunding improvement plan to CIRIA 736 standards with proposed improvements and timescales for action by the 16th December 2022.

CHEMICAL STORAGE/GENERAL STORAGE

There are multiple IBC's (containing chemicals) and containers stored in bunded, partially bunded, and un-bunded clean surface water drainage areas around the site. This increases the risk of spillage or accidental leaks to ground or surface waters and air. Storage should be rationalised on site to ensure that all material (particularly chemicals and waste) is risk assessed and stored in accordance with CIRIA 736 guidance.

ACTION: Submit a report detailing a review of current storage arrangements and proposed improvements to rationalise and improve the risk from the current distributed nature of the storage on site.

DRAINAGE

Many of the drains on site are unmarked or poorly marked in relation to their foul water/surface water status. All in scope drains covers should be marked red or blue (foul or clean surface water) across the site with directional flow arrows added where possible.

ACTION: Ensure all in scope drain covers are marked as described by the 30th November 2022

AMMONIA CHARGING PIPE

The ammonia charging pipe is still in a very vulnerable position on the side of the building close to the adjacent ditch which flows into the River Cefni. Please risk assess and provide a review of the current operation to deliver and charge ammonia through this pipe in such a vulnerable area. The concreted hardstanding in this area appears to be drained to surface water. Please confirm this as part of the risk assessment and report.

ACTION: Undertake a risk assessment of the ammonia charging pipe and the surrounding area, including the ammonia plant itself in terms of source- pathway-receptor and submit a report of findings to NRW by the 28th/10/2022.

On this occasion, you have been scored a CCS 3 breach for permit conditions 1 and 3.

1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and

(b) using sufficient competent persons and resources.

3.2.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

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.