

Compliance Assessment Report CAR_NRW0040895

Permit being assessed: AP3433ES.

For: Dowlais Slaughterhouse EPR/AP3433ES, held by Kepak Group Limited

At: Pengarnddu Industrial Estate Dowlais Top , Merthyr Tydfil, South Wales, CF48 2TA.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 19/12/2022 between 13:30 and 16:00.

Parts of permit assessed: Activities

NRW Lead Officer: Mostyn Wall.

Report sent to: Tom Caswell, Technical Services Manager, Meat Division on 10/01/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.1
E3 - Emissions - Surface water	C3 Minor	6.3
B4 - Infrastructure - Containment of stored materials	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
2	8

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
C2	Ensure doors are closed. Provide training for staff. Kepak to install signage on the doors to notify staff that they should remain closed	31/01/2023
E3	Kepak to investigate why the pipe was blocked. What is the scheduled maintenance of the pipe and vessel to ensure blockages do not occur? Secure vessel lid. Install door closure mechanisms to ensure doors are closed.	31/01/2023
B4	Kepak to report the secondary containment plans and a timeline for the mass balance tanks.	31/01/2023

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

Effluent spill

On the 16th/12/2022, a spill of approximately 5m³ of treated effluent entered the storm drain adjacent to the effluent treatment plat (ETP). A schedule notification was sent to NRW on the same day.

An internal investigation was carried out by Kepak into the root cause of the spill.

A blocked pipe caused the lid of a vessel to dislodge and fall onto the outlet pipe onto the adjacent dissolved air floatation (DAF) tank. The falling lid caused the pipe to crack leading to the escape of effluent onto the ETP floor. The pipe and DAF tank is located within the ETP building where internal drainage collects any spills back into the balance tanks. However, the ETP building door had been left open, allowing effluent to leave the ETP building and into the storm drain located outside.

Kepak took immediate actions following the spill

- The ETP output was shut off to limit further spillage, and the storm drain covered using spillage kit (spillage procedure followed).
- Site General Manager and Environmental Manager contacted. The weirs and storm drain inspected to ensure no obvious signs of contamination.
- Engineering manager informed and damage pipework repaired.
- Immediate area around ETP cleaned by hosing effluent on roadway away from storm and into effluent drain.

Kepak investigated the root cause of the spill. Kepak found that the ETP building door had been left ajar by a staff member, against operating procedures, allowing effluent to escape the building. The ETP doors must be kept always closed to prevent effluent leaving the ETP building and to contain any odours.

Kepak found that there was a lack vigilance and emphasis on keeping the ETP doors shut.

Kepak have not investigated why the pipe leading to the vessel was blocked?

Action. Kepak to investigate why the pipe was blocked. What is the scheduled maintenance of the pipe and vessel to ensure blockages do not occur?

Kepak identified several actions after their investigation

- Output pipe to be changed from plastic to stainless steel. 3 stainless steel valves added to the pipe. One will be directly at the source (DAF tank) allowing the inflow to be shut off.
- Lid of the vessel to be welded on with a chain to prevent the lid coming off in future.
- ETP manager to be retrained on ETP operation procedure with emphasis on door control.

Action: Kepak to install signage on the doors to notify staff that they should remain closed

Non-compliance:

A category 3 non-compliance is given due to the spillage of effluent into the storm drains and local environment. This is a breach under condition 6.3.

A category 3 non-compliance is given due to the doors being left open at the ETP building. This is management failure and a breach under condition 1.1.

It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Total Non-compliance score of 8.

Site Tour

Mostyn Wall visited the site to see the location of the spill and the broken pipe. Outside the ETP building a storm drain is located downslope and in the middle of the access road. Spill kits are located 5m away from the storm drain. Spill kits were fully stocked and contained information on how to use them in an emergency.

The vessel lid that became detached was back in place, the lid had multiple dents from the fall. The vessel lid is now permanently attached.

The broken pipe had been removed and was in the process of repair. The ETP building was in the process of being cleaned to wash off effluent off the wall and equipment.

Automatic dosing of the ETP has now been installed and according to the ETP staff is working well. The automatic dosing eliminates any human errors or oversight in the ETP process. The installation of the automatic dosing has significantly modernised the ETP and represents BAT.

The balance tanks located outside the ETP do not have secondary containment and remain an environmental risk as any leaks would reach the storm drain located downslope

of the ETP building.

Action – Kepak to report the secondary containment plans and a timeline for the mass balance tanks.

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.