

Compliance Assessment Report

Report ID:
CAR_NRW0034218

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

Site	R F Brookes	Permit Ref	UP3237CP		
Operator/Permit holder	Solway Foods Limited				
Regime	Installations				
Date of assessment	07/11/2018 - 14/11/2018	Time in	10:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	All				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	William Elworthy/ Divisional HSE lead	Date issued	14/11/2018		

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

UP3237CP Solway Foods CAR form DRAFT

An annual Inspection took place on 7th Nov 2018.

Persons present, William Elworthy (Divisional HSE lead), Alica Thomas (Greensustain), Mark Site HS&E, Richard Taylor (NRW).

There were no non-conformances noted on the day of the inspection.

Areas Inspected / areas of concern

1. The new stack should be fitted with safe access to the sampling ports as laid down in TGN M1 guidance www.mcerts.net
Site need to be aware of the permit conditions for sampling and the M1 guidance at section 8.10 and Annex 1 where sampling platforms are required to be fitted for safe working practices.
2. Access to effluent treatment site should be controlled so as not to increase the risk of invalidating samples either by unintentional leaving doors open or by theft/vandalism. Individual chill cabinets for composite sampling are a particular concern and should be kept closed at all times to reduce this risk.
3. Thermal Oxidisers treatment capacity. Site are required to send the technical details relating to the capacities of treatment and the operating hours of the two thermal oxidisers currently operating on site. **Required as soon as possible please.**
4. Potential effluent consent breaches. Site should consider reporting breaches to the permitted effluent standards as soon as practicably possible via a schedule 1 notification as laid down within the permit. NRW considers all breaches on its individual merits.
5. Neighbouring defunct AD plant previously operated by InSource and SSE. The status of this needs to be ascertained. **NRW will enquire as to the future of this site.**
6. Stacks and vents – Site to send an updated map of the stacks and vents. This is necessary to ensure that all required emission points to air are captured correctly

in the permit. **Required as soon as possible please.**

7. Oil Storage. The Oil storage regulations (Wales) came into effect on 15th March 2016 for new tanks. This is likely to affect any new storage arrangements made for the proposed CHP plant oil supplies. Existing tanks have to comply by 15th March 2020. Unless covered specifically in the permit, a new condition will be placed in EPR permitted sites stating that OSR regs Wales shall be complied with. A date of July 2019 has been pencilled in for the next site inspection which will focus on the current storage of oil on site and the use of IBC's. **Next Inspection July 2019.**
Link- <https://naturalresources.wales/media/681287/osr-wales-faq-rt-pc-final-draft-v2-01022017.pdf>
8. F Gas regulations – Site to report any annual losses in F gases to NRW as uncontrolled releases to air as laid down in permit condition 2.2.4.

Inspection items;

1. Site Security – Good security on site. Access through a single-entry point via a guardroom. NRW Officer present needed to read through a checklist of safety information before being allowed on site.
2. Permit stacks – highlighted above. There is a requirement to identify all roof top stacks and vents.
3. EMS status – Site staff confirmed that the site adheres to ISO14001 and 18001 standards.
4. Thermal Oxidisers capacity – specification sheets to be sent to NRW as above.
5. Effluent treatment plant – invalidation of samples must be avoided by tighter control of access to area.

Area is potentially messy but was seen to be clean and swept free of debris on the day. No excess food residue seen, no pests, scavengers or noticeable odour.

6. Oil storage regs – as above. Link provided. Note this legislation is for Wales, so applies to the groups Welsh sites only and affects the storage of IBC's as seen on the day of the inspection.
7. F Gas regs – as above. This is an area of growing regulation by NRW.

8. MCERTS approved inspectors for MCERTS equipment. The permit requires you to maintain MCERTS standards for effluent control. A list of MCERTS inspectors is available here.
<https://www.csagroupuk.org/services/mcerts/mcerts-self-monitoring-of-flow/approved-inspection-providers/>

9. Insource status. Ongoing action with NRW.

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.

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			

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.