

## Compliance Assessment Report CAR\_NRW0040953

**Permit being assessed:** BW0886IZ.

For: Milford Haven Ceramics EPR/BW0886IZ, held by CBL Ceramics

At: Milford Haven Ceramics Marble Hall Road , Steynton, MILFORD HAVEN, Dyfed, SA73 2PP.

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

On 15/12/2022 between 10:00 and 12:30.

Parts of permit assessed: 2.2.2.7 Emissions to sewer / 2.2.6 Odour

**NRW Lead Officer:** Gary Evans, accompanied by Michael Launder.

**Report sent to:** Barbara Abeles, Managing Director on 08/02/2023.

### 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      | Assessed (A)      |                  |
| F1 - Amenity - Odour                                                      | Assessed (A)      |                  |
| B1 - Infrastructure - Engineering for prevention and control of emissions | 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 |
|------------------------------------------|----------------------------|
| 0                                        | 0                          |

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       | Operator to provide a plan in writing to NRW outlining the programme, including timescales, for the improvement and maintenance of the reed bed system. This should include a procedure for ongoing management of the system. | 31/03/2023  |

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.

**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

### Introduction

A site visit was arranged with the Operator following discussions with the Pembrokeshire County Council regarding the effluent discharges from the site and the operation of the reed bed system used prior to sewer discharge. Pembrokeshire CC had also outlined that there had been odour reports within the local area. The aim of the visit was to review current effluent monitoring data and to discuss planned maintenance of the reed bed system. A Pembrokeshire CC Environmental Health representative (Jon Murphy) attended the site visit with Natural Resources Wales.

### Attendees

|                 |                                                                   |
|-----------------|-------------------------------------------------------------------|
| Barbara Abeles  | Managing Director, CBL Ceramics                                   |
| Charles Henry   | Powder Process Manager, CBL Ceramics                              |
| Peter Nash      | Maintenance and Facilities Manager, CBL Ceramics                  |
| Jon Murphy      | Pollution Control Officer, Pembrokeshire County Council           |
| Michael Launder | Senior Industry Regulation Officer, Natural Resources Wales       |
| Gary Evans      | Technical Specialist Industry Regulation, Natural Resources Wales |

### Monitoring Information

CBL Ceramics have a consented discharge point connecting into the Dwr Cymru Welsh Water sewer system from the on-site reed bed treatment system. The company has consented limits as part of the DCWW consent along with one parameter listed in the EPR Permit. CBL provided an overview of all the monitoring carried out on the final discharge point along with further investigatory samples to ensure full compliance with the consent agreements. Monitoring of the consent point occurs on a regular basis (monthly), above the required EPR Permit frequency and includes all parameters detailed in the DCWW sewer consent. CBL Ceramics have also utilised external laboratories for sample analysis of specific parameters. The monitoring data shared did not show any exceedance of either the DCWW consent levels or the EPR Permit limits.

### On-site Inspection of Reed Bed System

CBL Ceramics outlined an overview of the effluent system along with operational times and monitoring frequencies. The reed bed is contained with a concrete wall structure with a weir construction in the influent corner to allow gradual liquid loading into the reed bed system. The outflow corner of the reed bed structure has a discharge point to sewer which is regularly sampled for compliance. CBL Ceramics also provided an overview of historical issues related to the sewer system which is suspected to have been damaged off-site following the construction of new properties near the entrance to the site. The issues involved blockages and damage to sewer systems.

Acting on advice from a specialist contractor, the Operator have been carrying out remedial work within the

reed bed, including cutting back a tree growing amongst the reeds. Further improvement plans for the reed bed include removal of dry substrate which has grassed over, and replacement with newly grown reeds from a local nursery. At the time of the inspection there were no strong odours from the reed bed. NRW will require CBL Ceramics to provide an update in writing on the planned maintenance of the reed bed.

#### **Odour Reports and Investigations**

CBL Ceramics have carried out on site investigations into odour reports in the area following discussions with the Pembrokeshire CC. The company has not identified any strong odours as part of the investigations and no further odour reports have been made in the area for several months.

#### **Conclusion and Recommendations**

The visit provided a useful overview of the effluent treatment and discharge process for both Pembrokeshire CC and NRW, and CBL Ceramics provided an overview on monitoring practices along with a plan to carry out further maintenance and potential improvements to the current reed bed system.

**ACTION:** CBL Ceramics to provide a plan in writing to NRW outlining the programme, including timescales, for the improvement and maintenance of the reed bed system. This should include a procedure for ongoing management of the system.

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](mailto: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](mailto: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.