

Compliance Assessment Report CAR_NRW0041178

Permit being assessed: BP1772IZ.

For: Poeton Cardiff, held by Poeton (Cardiff) Limited

At: Poeton (Cardiff) Ltd, 283 Penarth Road, Cardiff, Cardiff, CF11 8UL.

Type of assessment carried out: Report/Data Review, Reason: Routine.
On 31/12/2022.

Parts of permit assessed: Annual Returns

NRW Lead Officer: Dale Padfield.

Report sent to: Jason Hamling, HSE & Facilities Manager on 15/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
H1 - Resource Efficiency - Efficient use of raw materials	Action only (X)	
H2 - Resource Efficiency - Energy efficiency	Action only (X)	
E5 - Emissions - Waste	Action only (X)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Action only (X)	
E4 - Emissions - Sewer	Assessed (A)	

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
H1	Please see Action 1 in main body of report.	31/03/2023
H2	Please see Action 2 in main body of report.	31/03/2023
E5	Please see Action 3 in main body of report.	31/03/2023
G1	Please see Action 4 in main body of report.	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

Poeton Cardiff

EPR/BP1772IZ

The Purpose of this compliance assessment report to review the annual performance of the installation for the 2022 period and the emissions to sewer for the July to December 2022 period.

The annual reporting forms and the S1 emissions to sewer form were received by NRW on the 30th of January 2023.

Water Usage:

Water usage was significantly increased in 2022 when compared to 2021, with approximately 30% more water being used. Poeton stated that this increase was likely due to the increase in production seen towards the end of 2022. Poeton also stated that a hot water seal requiring a higher-than-normal change rate may have contributed to an unusually high water usage in March.

As a performance indicator, Poeton use the total operational hours for the year to calculate the water used (m³) per operational hour. Measuring performance in this way allows for efficiency to be compared to previous years, where differing quantities of production may have occurred.

Taking this into account, there was a significant decrease in water efficiency in 2022 when compared to 2021. In 2021 a value of 5.00m³ per operational hour was reported, in 2022 this increased by 1.47 m³ to 6.47m³ per operational hour, an increase of 29%.

Action 1 – Poeton – 15th of February 2023. Please investigate further to ascertain the reason for the decrease in water efficiency seen in 2022, Please use the results of this investigation to put in place a plan to improve water efficiency in 2023, please submit your findings and intentions to NRW. **Due 31st March 2023.**

Energy Use:

Energy usage slightly increased in 2022 when compared to 2021, which has also resulted in a slight increase in CO₂ produced. The performance indicator (energy usage per operational hour) shows a slight decrease in efficiency when compared to 2021, with a result of 0.51 MWh per operational hour in 2022 compared to 0.49 MWh per operational hour in 2021. Had the same efficiency of 0.49 MWh been maintained in 2022, the overall energy usage would have been similar to that in 2021 (0.49 MWh per operational hour x 6400 operational hours = 3136 MWh). The decreases in energy efficiency has resulted in an increase of 0.003 tonnes of CO₂ produced per operational hour, a total increase of 22.1 tonnes of CO₂.

Poeton have stated “that more efficient lighting continues to be installed when upgrades take place in line with continual improvement projects, ensuring equipment is turned off when not being used is having a positive impact on our energy usage.” This was also stated in 2021, as such, it would be reasonable to conclude

that energy efficiency would have improved over the 2022 period or, remained stable as was the case for the reported values between 2020 and 2021.

Action 2 – Poeton – 15th of February 2023. Please investigate further to ascertain the reason for the decrease in energy efficiency seen in 2022. Please use the results of this investigation to put in place a plan to improve energy efficiency in 2023, please submit your findings and intentions to NRW. **Due 31st March 2023.**

Waste:

There has been a slight increase in directive waste (recycled) when compared to 2021 which appear to be predominantly packaging type waste. Hazardous waste produced has continued to increase, in 2021 there was an increase of 8.24% of hazardous waste when compared to 2020. In 2022 there has been a significant increase of 59.96% of hazardous waste produced when compared to 2021. It is understood that that Poeton are continuing to remove waste that has accumulated, aiming to hold less waste on site. This explanation was also given for the increase seen in 2021. Poeton have also stated that they are working towards improving their stock control and reducing waste going forward, as was the case in 2021. Poeton are also continuing to encourage customers to utilise bespoke packaging, allowing packaging to be re-used and preventing waste generation.

Action 3 – Poeton – 15th February 2023. Please provide details on how Poeton are working towards improving stock control and reducing waste. As operations to remove hazardous waste have now been ongoing for two years, please provide an estimate of the remaining quantity of accumulated hazardous waste. **Due 31st March 2023.**

Mass release of cadmium and mercury:

Mass release of mercury has remained stable. There has been a significant increase in the mass release of cadmium by 306% for the 2022 period, totalling 2.3kg. This is likely a result of the lack of operational control over the effluent treatment plant during the second half of 2022. Poeton have stated that design works for a new effluent treatment plant (ETP) have been received, which is pending review by the board of directors. Please keep NRW updated with the progress if the proposed new ETP.

The average concentration of cadmium recorded by Dwr Cymru Welsh Water (DCWW) for 2022 was 0.29 mg/l, the average monthly effluent volume provided by Poeton is 3248 m³, using these figures the total annual mass release of cadmium for 2022 is calculated to be 11.31kg.

Action 4 – Poeton – 15th February 2023. Please provide details on how Poeton calculated the mass release of cadmium for 2022, include all figures (including analysis results) and calculations in the response. **Due 31st March 2023.**

Emissions to sewer S1 – July to December 2022

During this period several breaches had occurred for cadmium, chromium and pH, schedule 5 notifications were received for the relevant breaches and non-compliance scores have been issued. The S1 form is accepted.

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.