

Compliance Assessment Report CAR_NRW0041714

Permit being assessed: PP3238LX.

For: Barry Thermosets Plant EA/EPR/PP3238LX/V002, held by Bakelite Synthetics UK Ltd

At: Barry Thermosets Plant Sully Moors Road , Penarth, Vale of Glamorgan, CF64 5YU.

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

On 25/10/2022 between 10:00 and 14:00.

Parts of permit assessed: Monitoring sampling and analysis: OMA Water

NRW Lead Officer: Andi Kemp.

Report sent to: Ian Beatty, EHS Manager on 25/04/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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?

No action required.

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

Bakelite Operator Monitoring Assessment (OMA): Water

Date Of Audit: 25th October 2022

NRW Personnel / Auditor: Andi Kemp Lead Specialist Industry Regulation

Bakelite Personnel: Ian Beatty (EHS Manager), Paul Moverley (Manufacturing Manager), Kelly Warner (Quality Manager, Laboratory and waste management), Jason Walker (Day plant Operator – incl. effluent treatment plant)

Summary

This OMA (water) follows the 2016 OMA, where the operator scored: OMA 1 – 17/25; OMA 2 – 28/40; OMA 3 – 28/40; OMA 4 – 18/30, giving an overall score of 67%. The sampling, monitoring and analysis provisions are mature at this installation and therefore this OMA will mainly focus on the lower scoring elements. Such elements are: 1C, 1E, 2B, 2C, 2D, 2E, 2F, 3B, 3D, 3F, 3H, 4A, 4B, 4C, 4D, 4E, 4F. OMA 4 2016 scoring the lowest @ 60%.

Overall, the operator has resources and procedures for complying with the permit monitoring and recording conditions. The operator is part of an analysis proficiency which tests their in-house laboratory procedures. There is evidence of identifying training needs and delivering training.

Documentation

The following documentation was seen during the audit and / or subsequently submitted by the operator post audit. This documentation is referred to throughout the audit.

- Previous OMAs 2016
- How to carry out an OMA guidance and evidence checklist
- Email off IB re. ISCO sampler and potential other option – 25th Oct. 2022
- Bakelite Effluent Control Signposting Document
- Job Instruction Breakdown BIO 007 Collecting Effluent Samples
- Job Instruction Breakdown BIO 008 Collecting ISCO (composite sampler) Samples
- Job Instruction Breakdown BIO-LAB005 Phenol in water
- Standardised Work Instruction (UK) SWI-LM0230a Using the Mettler Toledo pH meter
- Determining The Phenol Content In Waste Water From The Bio-plant – what, how, check, why procedure
- Procedure for Maintenance and Calibration – QPRO-001 Issue 4.0 23.02.2022
- Procedure for Inspection and Test Process – QPRO-014 Issue 4.0 21.02.2022 re. defines the instruction to sample, test and results recording for sampling for product manufacture
- Procedure for Recruitment & Development – QPRO-007 Issue 5.0 17.02.2022
- MCERTS Inspection Certificate for flow meter – inspected 19th April 2022, renewal 6th Feb. 2028
- Inspection report CFS/10863 for the above
- MCERTS Management System audit report 8th March 2022
- Aquacheck reports for 19th April, 18th July and 16th Sep. 2022

- Photograph of laboratory calibration and service schedule board
- Photograph of composite sample labelled bottles in the laboratory refrigerator
- Photograph of weekly laboratory calibration checklist
- Environmental Technician Task map spreadsheet excerpt
- Photograph of daily log sheet for bio-plant

Conclusion

The full audit report has been written on the OMA Report. Increase from 67% in 2016 to 78% in 2022. This is welcomed by the Regulator.

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.