

Compliance Assessment Report CAR_NRW0042671

Permit being assessed: TP3535LH.

For: Rhymney Alginate Fibres Plant, **held by:** Convatec Ltd

At: Unit 2 Heads of the Valleys Ind. Est , Rhymney, Caerphilly, NP22 5RL.

Type of assessment: Site Inspection,

Reason: Routine.

On: 11/10/2023 between 09:55 and 12:05.

Parts of permit assessed: IR1A, IR2A, IR2B.

NRW Lead Officer: Ian James.

Report sent to: Joel Goodchild, Environment, Health and Safety Manager, on 23/10/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	Assessed (A)	
IR2A - Operations - Permitted activities	Assessed (A)	
IR2B - Operations - The site	Assessed (A)	

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

Total 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

Compliance Assessment Report – Convatec – EPR-NP3433BC and EPR-TP3535LH

Introduction

On the 11th October 2023 your site was inspected by officer Ian JAMES.

The site holds two permits as follows;

EPR-NP3433BC v005 – Unit 1: 4.5 A (1) (a), 7 Part B and DAAs inc. RTO

EPR-TP3535LH – Unit 2: 4.1 A1 (a) (viii) and DAAs

The visit was hosted by SHE Manager – Joel GOODCHILD with input from Site Manager Marion DAVIES.

This report is duplicated across both permit records given that no breaches were identified for either and there are common systems and infrastructure.

Site inspection

Changes – JG gave an overview of site changes and challenges as we walked around the permitted areas.

The Pressure Swing Adsorption plant was in operation and producing Nitrogen for the site. Due to the cyclical production demands and some design limitations the reduction of HGV deliveries of LN2 to the site is running at around 75% rather than the planned 100%. The plans are for an additional tank to be installed that should eliminate the need for road deliveries completely.

The flap valves highlighted as requiring replacement in the annual reports were in the process of renewal. 2 of the 3 had been completed and the final one was scheduled for the following week. This was previously highlighted as a risk due to obsolescence of parts.

Shift patterns had recently changed, this was discussed with a focus on ensuring adequate spill/incident response was available.

JG confirmed that the large unit to the south of the boundary had been purchased by Convatec as part of a multi-million investment in expansion and future proofing for the site. A brief external walk around was carried out for interest and to review security arrangements and any impact on the Permitted site. As a discreet building forthcoming works will be carried out in a defined CDM zone with minimal impact on Operations. A security review has been carried out and additional measures implemented.

IBC storage has been updated with investment in two on-site areas with plans in place to upgrade the remaining storage.

In a previous inspection the Operator highlighted a desire to review the use of the RTO. The premise being that VOC throughput was low and requiring ongoing natural gas input for operation. Given the costs and environmental impact of the gas usage an assessment was made to look at alternatives. The current position is that the negative environmental impact of an alternative solution is greater than continuing to run the RTO and as such it will remain in operation as it stands.

There are plans to consolidate Unit 2 Ops into Unit 1 which will mean VOCs being routed through the RTO.

JG enquired as to whether the rainwater that is currently collected in the bunds can be discharged to surface water drain rather than the currently DCWW permitted effluent discharge. It is tested for IDA before discharge as it stands.

Action - NRW to follow-up internally.

Overall externally Permitted areas on site appeared in good condition at inspection.

Further discussion in the office with JG and MD focused on waste reduction initiatives, with a current level of 99.425% recycled or recovered with a corporate target of zero to landfill.

Energy plans are for wind and solar generation of site electric needs. The design is for this to be sufficient to allow current gas boilers to be replaced by electric and for more efficient HVAC systems for space heating/cooling.

MCP permitting requirements were discussed following the NRW communication on this. As previously responded by the Operator the site falls outside of the 2025 date (for 5-50MW) but one of the permits (NP) would fall under the 2030 date for 1-5MW. Given the plans for electric boiler solutions the hope is that there would be no MCP ahead of the 2030 date.

The digital system for management of change that was introduced is working well although generating a significant volume of actions. Movement of key environmental/safety personnel would be captured on the system.

A significant change of personnel is that MD is due to leave the business at the end of Nov 23.

With thanks.

If you have any questions regarding this Compliance Assessment Report (CAR) form, please contact Ian James on 03000 654203 or via email on ian.james@naturalresourceswales.gov.uk

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.