

Compliance Assessment Report

CAR_NRW0037411

Permit number	BP3135EB	Operator name	Sensient Flavors Ltd & Volac International Ltd
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Site name	Felinfach Effluent Treatment Plant
Site address	Felinfach Industrial Estate, Lampeter, Ceredigion SA48 8AG
Type of assessment	Site inspection – incident response Incident ref: 2008447

Date of assessment	03/12/2020	Time in	N/A	Time out	N/A
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Parts of permit assessed	2 Operations; 3 Emissions & Monitoring; 4 Information
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NRW Lead officer	Douglas Cowie	Accompanied by	N/A
Report sent to – Name and position	Byron Williams ETP Manager	Date	29/01/2021

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
A1 Specified by permit	Assessed or assessed in part (A)	2.1.1 2.2.1
E2 Emissions – Land and groundwater	C3 Minor	3.1.1
G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales	Assessed or assessed in part (A)	4.3.1 4.4.2

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

Total number of non-compliances recorded	Total non-compliance score
1	4

2. What action is required?

Criteria	Action needed	Complete by
E2	Action 37411/01: The Consortium should review its planned preventative maintenance (PPM) programme and any relevant operating procedures to ensure the filter cleaning activity is always conducted within the footprint of the	01/04/2021

Criteria	Action needed	Complete by
	installation's sealed drainage system. Effluent generated by the activity should always be captured by this drainage system.	
E2	Action 37411/02: Evidence demonstrating that the Consortium's PPM programme and operating procedures adequately cover the filter cleaning activity should be provided in writing to the regulator by the date specified.	01/04/2021

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 prosecutions and/or suspension or revocation of your permit.

At this time we do not intend to take any further action.

4. Details of our assessment

Site description

The Felinfach Effluent Treatment Plant (ETP) is located at Felinfach Industrial Estate, Ceredigion and processes and treats effluent from two nearby manufacturing sites: Sensient Flavors Ltd and Volac International Ltd. The ETP is operated jointly by a Consortium of Sensient and Volac and is permitted as an installation under Section 5.4 (The disposal, recovery or a mix of disposal and recovery of non-hazardous waste) of the Environmental Permitting Regulations (EPR).

The permitted installation comprises: a primary effluent treatment unit with balance tank; a dissolved air flotation (DAF) plant; anoxic pre-mixing (selector tank); a conventional activated sludge unit and gravity sludge settlement tanks. The treated effluent is discharged into the coastal waters of Cardigan Bay.

Purpose of visit/assessment

On 3 December 2020, Natural Resources Wales (NRW) was notified of a pollution incident on land bordering the permitted installation. The pollution was described as a 'brown sludge' which had allegedly emanated from the installation's eastern boundary. The source of the pollution was subsequently traced to a hosepipe which had been used to clean a set of filters associated with the ETP infrastructure.

This report confirms our compliance assessment in response to this incident in the context of the installation's permit requirements. The relevant permit conditions are listed under Sections 2.1, 2.2, 3.1, 4.3 & 4.4 of the Consortium's permit.

Pollution incident 2008447

On 03/12/20 NRW's Pollution Incident Hotline received a report of pollution (to land) allegedly emanating from the permitted installation.

NRW subsequently notified the Consortium of the incident and the ETP Manager agreed to investigate immediately.

The Consortium's investigation revealed that a hosepipe associated with the mixed liquor suspended solids (MLSS) component of the ETP had been mistakenly used to clean a set of filters. This cleaning activity is normally carried out using clean water and a different (clean) hosepipe. Furthermore, effluent from the filter cleaning activity had not been contained by the permitted installation's sealed drainage system and had escaped onto land bordering the installation's eastern boundary.

Following this incident, the ETP Manager has disconnected the MLSS hosepipe to prevent a repeat of this incident in the future. Use of the hosepipe for its intended purpose – controlled siphoning of liquid from the MLSS vessel(s) – will require the hosepipe to be manually re-connected first. This activity should be supervised by the ETP Manager.

The environmental impact of this incident is understood to be minor and restricted to land only. No air or water pollution has been reported or confirmed.

The Consortium has also contacted the landowner to agree steps to remedy the impact of this incident, which consider the condition of the land in question and avoiding further damage e.g. upsetting the land drainage using heavy machinery. The environmental risk presented by the effluent is understood to be low (biodegradable solids). At the time of writing it is understood that agreement regarding clean-up has been reached with the landowner.

Compliance assessment

The above incident has been attributed to an unauthorised discharge of cleaning effluent from the Consortium's permitted activity. The source of the effluent has been identified (see above), however the root cause of this incident requires further attention.

Permit condition 3.1.1 states:

3 Emissions and monitoring

3.1 Emissions to water, air or land

3.1.1 There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 table S3.1.

The incident on 03/12/20 is an unauthorised emission to land from the Consortium's installation and is a breach of permit condition 3.1.1. We have assessed the reasonably foreseeable impact of this release as minor in accordance with our Compliance Classification Scheme (CCS). **One CCS Category 3 score** has been recorded in response to this permit non-compliance.

We recognise that the Consortium has taken swift action to address this minor release from the installation. It is acknowledged that the MLSS hosepipe has now been disconnected and therefore this contributing factor to the incident has already been addressed by the

ETP Manager. In the absence of any information indicating an ongoing environmental impact, the incident itself is considered closed.

The root cause of this incident requires further attention and will be discussed during a future compliance visit. Additional CCS scores may be applied if any associated permit non-compliances are identified. In the meantime, the following actions are identified:

Action 37411/01: The Consortium should review its planned preventative maintenance (PPM) programme and any relevant operating procedures to ensure the filter cleaning activity is always conducted within the footprint of the installation's sealed drainage system. Effluent generated by the activity should always be captured by this drainage system.

Action 37411/02: Evidence demonstrating that the Consortium's PPM programme and operating procedures adequately cover the filter cleaning activity should be provided in writing to the regulator by the date specified.

In terms of informing and notifying the regulator (section 4.3 Notifications), we are satisfied the operator has complied with the permit conditions and notified the regulator once a potential permit breach had been identified.

Note: Novel Coronavirus (COVID-19)

At the time of the incident discussed in this report and our subsequent permit compliance assessment, an escalation in the threat posed by the novel coronavirus (COVID-19) pandemic has resulted in the imposition of several stringent measures across the United Kingdom.

The statutory measures to control and reduce the spread and impact of COVID-19 are having an impact on the site operator's activities and the regulator's duties. At the time of writing, all routine regulatory compliance visits have been suspended by NRW due to ongoing risks of COVID-19 infection and transmission. NRW currently employs a risk-based approach when deciding to deploy its resources.

Natural Resources Wales / Our response to the coronavirus pandemic

During this pandemic there will be an expectation that site operators continue to comply with their environmental permit conditions. Where the operator has identified an issue that is likely to result in permit non-compliance or increased environmental risk, the operator is expected to raise this with the regulator at the earliest opportunity.

END OF ASSESSMENT

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 in the aspects assessed.
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.