

	EPR Compliance Assessment Report	Report ID: 5953
This form will report compliance with your permit as determined by an NRW officer		
Site	Felinfach, Ceredigion	Permit Ref BP3135EB
Operator/ Permit holder	Volac International Ltd & Sensient Flavors Ltd	
Date	26 June 2015	Time in 09:30 Out 12:00
What parts of the permit were assessed	NRW site regulation handover meeting	
Assessment	Site Inspection	EPR Activity: Installation X Waste Op Water Discharge
Recipient's name/position	Byron Williams (ETP Manager)	
Officer's name	Nick Jenkins and Doug Cowie	Date issued 03/08/15

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the “Detailed Assessment of Compliance” (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed or assessed in part (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

Attendees

Byron Williams – Effluent Treatment Plant manager, Volac International Ltd

Nick Jenkins – PPC Officer, Industry Regulation Team, Natural Resources Wales

Douglas Cowie – PPC Officer, Industry Regulation Team, Natural Resources Wales

Agenda

1. Introductions
2. Review of outstanding actions
3. AOB
4. Site tour

1. Introductions

Douglas Cowie was introduced as the new regulating officer for the Consortium owned Effluent Treatment Plant (ETP). He will take over the regulation of the site but Nick will still be available to assist if necessary with any questions that with Douglas or Byron may have. The purpose of the meeting was to introduce Douglas to the ETP manager and to have an overview of the process.

2. Review of Outstanding Actions

Recommendation/Action	Deadline	Compliant
Volac to ensure that an accident plan contains all relevant information as outlined in PPG21 – Pollution incident response planning and H1 Environmental risk assessment.	Not specified /assumption by next visit	Although we briefly viewed the documents we did not audit them in sufficient detail to be able to assess compliance with this recommendation. ONGOING
Volac to discuss with their waste contractor to ensure that the correct waste and SIC codes are being used on the waste transfer notes for the sludge generated from the ETP process.	Not specified /assumption by next visit	The operator advised that they have approached Wales Environmental (WE) to discuss the issue but WE are adamant that they are using the correct EWC code and this has been clarified with NRW officers. We have gained clarification from agricultural specialists and waste officers in NRW we regard the waste from the ETP and whether it should be coded as a category 19 i.e. wastes from off-site waste water treatment plants. The ETP sludge is generated by treating effluent from two independent manufacturing processes located off-site. It cannot be characterised as sludge from on-site effluent treatment associated with food preparation/processing activities. As the holder of the waste, The operator is breaching their duty of care by

		incorrectly transferring their waste. NOT COMPLIANT
Ensure that that resultant waste code for the ETP sludge can be accepted at the receiving farms/reuse sites.	Not specified/ assumption by next visit	Due to the discussions with WE, The Consortium have not progressed this recommendation. Following NRW findings we now recommend that this is once again raised with WE and we would like a response to this <u>no later than 1 September 2015</u>. NOT COMPLIANT

3. AOB

Discharge Consent – It was discovered that The Consortium was being billed for a discharge permit after the ETP permit had been granted. The ETP permit was granted 4 July 2014 and this was raised as a concern to NRW. An email was sent to Volac 3 July 2015 to advise that Volac will be credited from the 4 July 2014 but will be charged up to 3 July for any outstanding payments. The credit will be deducted for the outstanding balance.

Abstractions - Previous discussions with the operator have outlined the imminent changes to the areas of exemption which will require an abstraction licence to continue to operate. The timescale has yet to be determined but we are working with Welsh Government (WG) and DEFRA to establish the relevant dates. It is recommended that The Consortium view both WG's and NRW's websites for up-to-date information. When any information is passed through NRW we will pass on to the operator as soon as practicable.

Expansion of the whey isolate business – The operator advised that due to the higher quality of protein from skimmed milk, they are intending to expand this side of their operation rather than the processing of whey which also has a higher bacterial content. NRW have requested the operator to consider whether there are any negative environmental impacts as a result of this change particularly on the reduction of bacteria in the effluent and the ability of the ETP to cope with the change.

Site Tour – We toured the site from effluent intake from the upstream processes to the sludge and the final effluent leaving the plant. This was very interesting and we thank you for taking the time to show us around.

4. Conclusion

The Consortium appears to operate a well-managed effluent treatment plant and deals well with the demands placed on it by the Sensient and Volac processes. The issue we have is that as the holder of waste destined to leave the site, the Consortium is responsible for correctly transferring it. This concern was raised in March 2015 as an issue but although they have consulted with their contractor (Wales Environmental) they have followed the contractor's decision as to how they transfer effluent sludges from the site. There are environmental implications of spreading wastes destined for sites not permitted to accept them namely bioaccumulation of pollutants and/or direct transmission into food chain and land bank. The Consortium, the contractor and the operator of the receiving farm must be fully aware of the waste type that is being applied to land and the applicable regulatory requirements.

We expect a response no later than 1 September 2015 to clarify the positions of Wales Environmental and the Consortium regarding the transferring of waste sludges from the effluent treatment plant.

[END]

This form will report non-compliance with your permit as determined by an NRW officer

Site	Felinfach, Ceredigion	Permit Ref	BP3435EB
Operator/ Permit	Sensient Flavors Ltd	Date	26/06/15

Section 3- Enforcement Response

Only one of the boxes below should be ticked

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4- Action(s)

Where a non - compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
NA			

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you.

● We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.

● Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General Information

Data protection notice

The information on this form will be processed by Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). NRW may also use and/or disclose it in connection with:

- offering/providing you with its literature/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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official **Complaints** and Commendations procedure, phone our general enquiry number **0300 065 3000** (Mon to Fri **08.00–18.00**) and ask for the **Customer Contact team** or send an email to enquiries@naturalresourceswales.gov.uk If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on **(0845) 601 0987**.