

## Compliance Assessment Report CAR\_NRW0043849

**Permit being assessed:** DP3030ZC.

**For:** PB Gelatins EPR/DP3030ZC, **held by:** PB Gelatins UK Limited

**At:** Unit A6 Severn Road , Treforest Industrial Estate, Pontypridd, Rhondda Cynon Taf, CF37 5SQ.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 01/03/2024 between 10:00 and 12:00.

**Parts of permit assessed:** Site inspection, Annual returns.

**NRW Lead Officer:** Dale Padfield, accompanied by Geraint Harris.

**Report sent to:** Mauricio Caetano Ramos, Plant Director , on 04/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1C - Installations - Management - Energy Efficiency	Assessed (A)	
IR1D - Installations - Management - Efficient use of raw materials	Assessed (A)	
IR4B - Installations - Information - Reporting	Assessed (A)	
IR2A - Installations - Operations - Permitted activities	C3 Minor (Suspended)	2.1.1

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

Total non-compliances recorded	Total non-compliance score
1	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
IR2A	Ensure the environment is adequately protected, ensure any abnormal operation or emissions are reported to NRW. Should the operation result in a breach of any permit	31/01/2025

Criteria	Action needed	Complete by
	condition, report to NRW without delay.	

Compliance 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

#### PB Gelatins

#### Permit EPR/DP3030ZC

This compliance assessment report covers the following

- Request for a 'local enforcement position' made by PB Gelatins (PBG) to operate the new effluent treatment plant / process (ETP) prior to a permit variation being issued, and NRW's response.
- Summary of site visit conducted on the 01/03/2024.
- Close out of remaining action from CAR\_NRW0042707.
- Summary of 2023 annual returns review.

A site visit was conducted on the 01<sup>st</sup> of March 2024, the purpose of which was to discuss operating of the new effluent treatment process, operation of the process prior to a successful permit variation and to inspect the newly installed infrastructure of the new ETP.

A formal request was made by PBG for a 'local enforcement position' to allow PBG to operate the newly installed effluent treatment process at the A21 facility prior to a successful permit variation being granted by NRW. A permit variation application was submitted to NRW on the 2<sup>nd</sup> of January 2024, however, the NRW permitting department is suffering long delays which would result in PBG not receiving a varied permit (depending on a successful outcome) until August / September 2024.

The supporting report submitted with the LEP request along with the supporting document for the application were assessed by the regulatory officer. This review did not raise any concerns with the proposal. The following email was sent to PBG on the 09<sup>th</sup> February 2024;

*"Unfortunately, NRW does not take "local enforcement positions". NRW cannot disapply the law so any operation before granting of authorisation to operate would be technically not in compliance with the extant permit or unpermitted operation. NRW must make pragmatic decisions in such cases, where a timely application has been made and delays are unavoidable. This is consistent with our routine approach to non-compliance at permitted facilities that result in no or limited environmental impact. All such instances are*

*recorded but limited or no further action is taken if it is not in the public interest.*

*NRW appreciate that the new ETP has been installed to reduce the risk to the environment through increased control of effluent management, improving the quality of effluent discharged from the A21 processing site, and eventually mitigating the requirement to use the private effluent drainage line, the failure of which has previously caused environmental harm. It is appreciated that significant investment has been made in this project, which yields few operational benefits, with the primary benefit being improved environmental outcomes. It is also appreciated that the current permit queue will result in a delay, beyond our statutory requirements, in the determination and issuing of the varied permit.*

*The proposal has been assessed and it considered that operation of the new ETP prior to permit variation is likely to pose low risk to the environment, people or property. Furthermore, the new ETP is likely to result in reduced risk when compared the current system in place. Based on this assessment, NRW are willing to accept that PB Gelatins will be in breach of their permit while the application undergoes determination and will accept that PB Gelatins will commission and operate the new ETP before the permit variation has been granted. With the provision that all control and operational measures identified within the application are implemented.*

*As operation of the new ETP before a permit variation is granted will constitute a breach of the permit, a non-compliance score will be issued and immediately suspended. This is to identify that PB Gelatins will be in breach of the permit, but with no anticipated negative environmental impacts.*

*This decision does not constitute a pre-determination of the permit variation application, and should the application be refused, PB Gelatins will be required to cease operation of the new ETP until the concerns on which the application was refused are rectified to a satisfactory standard, as confirmed by a re-submission of the application and a successful variation granted.*

*Further to this, should any unforeseen issues arise, or concerns raised with regards to negative impacts to the environment, people or property, NRW will require PB Gelatins to cease operation of the new ETP until such concerns have been rectified. NRW would also like to be notified prior to the commencement of commissioning of the plant and provided with regular updates with regards to the plants performance.”*

During the site visit on the 01<sup>st</sup> of March 2024, the new ETP was seen, some aspects were awaiting completion, but the majority of the new infrastructure was in place, including the new bunded balance tank, bunded effluent sump, effluent screening system, odour scrubbing unit and supporting auxiliary equipment. The new ETP appears to have been designed and built to a very high standard, no concerns were raised during the site visit. The project is close to completion and PBG are expecting to commission the new plant at the end of March 2024. Once commissioned, PBG will continue to use the existing effluent drainage line while they undertake a 4 to 6 week sampling programme to satisfy DCWW. Providing the effluent meets the required parameters, a new trade effluent consent will be issued allowing direct discharge into the DCWW foul line, PBG will then decommission the existing effluent line.

The application also includes a newly installed odour scrubber for the new/old farm facility. PBG have worked with other plants within the company and with the manufacturer of the scrubbing system. This has allowed them to identify improvements to the system used at a sister plant in Brazil, and work with the manufacturer to re-design the system to better suit the requirements of the facility.

The effort being made at the facility is evident, and the improvements being made are highly welcomed.

A category 3 non-compliance score will be issued and immediately suspended, this is to recognise that operating the new ETP prior to permit variation is a breach of the permit. However, PBG have correctly

notified NRW of their intentions and NRW believes that the new process will reduce overall risk from the facility and improve environmental outcomes.

#### **Actions from CAR\_NRW0042707**

One action remained, Action 4, the deadline of which was extended to the 29<sup>th</sup> of February 2024. During the visit, PBG and their environmental consultant confirmed that environmental training had been rolled out to management staff, further awareness training for all staff is planned. Feedback from PBG stated the training was very informative and they will continue to roll out environmental training as required. The action is considered complete. There are no outstanding actions.

#### **Annual Returns**

The annual reporting returns as required by permit condition 4.2 were submitted beyond the reporting deadline, however, PB Gelatins requested an extension, which was granted.

#### **Energy Usage:**

PB Gelatins reported an increase of 1.7% in total electricity used in 2023 when compared to 2022, however, a 4.6% decrease in electricity consumed per tonne of gelatine produced was recorded when compared to 2022, which is a significant efficiency improvement.

Similarly, PBG reported a 5.9% increase in total gas consumed when compared to 2022 but a 0.6% decrease in gas consumed per tonne of gelatine produced.

#### **Use of raw materials and water:**

The net production of gelatin had increased by 6.6% from the previous year with a 7.9% increase of raw materials used. A 9.7% decrease in the quantity of ossein sludge waste when compared to 2022 which has resulted in a total decrease of 15.2% decrease of ossein sludge per tonne of gelatine produced. A total of 38.1% increase in solid bone waste was reported which has resulted in a 29.6% increase of solid bone waste per tonne of gelatine produced. PBG reported that this is a result of changes made to the extraction process to achieve higher quality gelatin.

Domestic use (non-production) water has increased by 14.9% however there was a 0.9% decrease in total abstracted water when compared to 2022 which has resulted in a decrease of 6.8% in the total water used per tonne of gelatine produced.

#### **Additional environmental improvements:**

A21 effluent treatment system – As detailed above, the new effluent treatment system is close to completion, this should reduce environmental risk from the current system in place.

PBG reported that the heat recovery system has been refurbished to recover energy from the cooling water return. Improvement works have also been conducted on the chemical installation which will further reduce the risk of any pollution.

Overall, the figures appear to show a positive trend in improved energy and material use efficiency and significant investment in new infrastructure to help improve environmental protection. The annual returns are 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.

**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](mailto: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](mailto: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.