

Compliance Assessment Report CAR_NRW0043877

Permit being assessed: CB3593CX.

For: Nantgarw Enzyme Production Facility, **held by:** Biocatalysts Ltd

At: Cefn Coed, Parc Nantgarw, Cardiff, Cardiff, CF15 7QQ.

Type of assessment: Site Inspection,

Reason: Routine.

On: 05/02/2024 between 13:30 and 15:30.

Parts of permit assessed: Handover visit.

NRW Lead Officer: Brigid Armstead, accompanied by Dale Padfield.

Report sent to: Hannah Stansfield, Environment, Health and Safety Officer, on 15/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Installations - Management - General Management	Action only (X)	
IR1A - Installations - Management - General Management	Action only (X)	
IR1A - Installations - Management - General Management	C3 Minor	1.1.1
IR1A - Installations - Management - General Management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
2	8

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
IR1A	Ensure that all potential pollutants are stored suitably to ensure secondary containment	22/04/2024

Criteria	Action needed	Complete by
IR1A	Ensure that there is a written and implemented procedure to ensure that bunded areas are regularly maintained.	22/04/2024
IR1A	Ensure that there is a written and implemented procedure to ensure that condensate is captured.	22/04/2024
IR1A	Provide root cause analysis for breach	22/04/2024

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

NRW Officers BA and DP met with Biocatalyst team to discuss potential exceedance in Haz Waste and familiarise BA with the site.

An overview of the business was given and Biocatalyst team advised that EMS 14001 external audit was due to take place in following week. New fermentation coolers are currently being tested with the plan to be activated later that week. Future improvements are to include solar panels to be installed in 2024. Plans to expand facility in future.

A tour of the site was undertaken with the following issues noted.

Issue 1: 4 x IBC of Glycerol in yard.

Action: Ensure that all potential pollutants are stored suitably to ensure secondary containment. Please provide drainage plans of this area.

Issue 2: Ammonia 15% tank bunding is open to rain and substantial amount of water captured.

Action: Ensure that there is a written and implemented procedure to ensure that bunded areas are regularly emptied and maintained.

Issue 3: Copper oxide visible on ground surrounding boiler condensate overflow receptacle.

Action: Ensure that there is a written and implemented procedure to ensure that condensate is captured and that the capture system is regularly maintained and emptied. Please provide NRW with a copy of this procedure.

'Groundwater regulations: There must be no planned or fugitive emission from the permitted installation into the ground, or any soakaway. This does not preclude the discharge of clean rain water run-off into soakaways.'

A category 3 non-compliance is given due to the. This is a management failure and a breach under condition 1.1.1 of the Permit.

An updated annual report was submitted on 21 February 2024 with amended figures for hazardous waste quantities in 2023 being a total of 14980 or 41kg averaged per day. Below is the requirement regarding hazardous waste as taken from Part b1 guidance NRW 2018.

'Waste production: The installation must not give rise to more than one tonne of Directive waste or 10 kg of hazardous waste per day, averaged over a year, with not more than 20 tonnes of Directive waste or 200 kg of hazardous waste being released in any one day. For the purpose of this application, no information is required on the proposed recovery and disposal of waste streams arising from the installation.'

'Management techniques: All of the criteria described below must be met without having to rely on significant management effort.'

Biocatalysts currently has a Low Impact Installation Permit which requires the operator to comply with the requirement as laid out in Part b1 guidance.

A category 3 non-compliance is given due to the installation giving rise to more than 10kg of hazardous waste per day, averaged over a year. This is an operating techniques failure and a breach under condition 2.3.1 of the Permit.

Action: Please provide a root cause analysis for this breach and program of measures taken to ensure that it does not happen again. If you do not feel that you will be able to meet this limit, or if significant management effort is required to ensure that the above-mentioned hazardous waste limit is not exceeded in future, you will be required to submit an application for a bespoke permit.

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 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.