

Compliance Assessment Report

Report ID:
CAR_NRW0035513

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

Site	Dowlais Slaughterhouse EPR/AP3433ES	Permit Ref	AP3433ES		
Operator/Permit holder	Kepak Group Limited				
Regime	Installations				
Date of assessment	01/08/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Q2 return, Schedule 1 returns				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Sharon Corcoran/ Group Environmental Manager	Date issued	02/08/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
B5 - Infrastructure - Plant and equipment	C3	2.1.2
E3 - Emissions - Surface water	C3	6.3.2
E4 - Emissions - Sewer	C3	6.4.2
	C3 - Suspended	6.4.2
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4	6.3.3

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	5	Total compliance score (see section 5 for scoring scheme)	12.1
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If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Kepak Ltd AP3433ES

NRW have been informed that the Site have a new Environmental Officer in place.

Review of Quarter 2 report 2019 (Apr-Jun 2019 inclusive).

NRW have reviewed the Quarter 2 returns from the site which are determined by permit conditions.

Q2 2019 Emissions to Air

F Gas

Site reported a F Gas emission to air via schedule 1 form on 7th July for an emission detected on 25th May. The 200kg of R404a was reportedly lost. This carries a CO2 equivalence factor of x1385.85 meaning that the emission was the equivalent release of 277 tonnes CO2.

NRW scores the root cause for air emissions and awards a Cat 3 breach of permit condition 2.1.2 which covers the maintenance of all equipment. This is the root of the emission seemingly being covered by 6.1.1 for actual fugitive emissions to air.

Result – 1 x cat 3 breach of pc 2.1.2 for not preventing leakage of pollutant from site equipment.

Q2 2019 Emissions to Sewer

Anionic Detergent.

No measurements of Anionic detergent were taken or reported during this Quarter. Site informed NRW on 14th May 2019 that they were actively looking for an alternate lab to provide this analysis due to machine

failure of their contracted lab. The site reported there were delays in setting the testing up with the new lab on 13th June. However, a new lab has not been commissioned for this work, and no measurements have been reported to NRW for this quarter.

In the last CAR form, we issued a Cat 3 breach for a sharp spike in anionic detergents (Manoxol OT) during Q1. This means that there is now a raised risk of the site breaching its permitted maximum. Therefore, the site needs to reinstate the monitoring of this determinand with immediate effect. Measurement and reporting Manoxol OT to us is a permit requirement. The recent breach means that the risk of excess pollutant is raised. Non-monitoring for this substance during Q2 means that the effluent could have carried excess Manoxol OT. Therefore, we are breaching the site for not carrying out the monitoring work covered in permit condition 6.4.2 but suspending the score so that reinstating the monitoring can take place. We also give a deadline of 3 months for the reinstated monitoring to occur.

This means that the penalty score is suspended until the next Quarterly reporting deadline – 31st Oct 2019 where some spot samples from Q3 should be submitted and the situation will be re-evaluated.

If the site cannot provide any sampling data for Q3, then a report on why this is should be sent to us which lays down the issues and explains how the site will come back into compliance. If there are no labs available which can provide the analysis required by the permit this needs to be raised within the report. The report should arrive with the Q3 report no later than Oct 31st 2019.

In the event that there are no sample results provided for Q3 (due 32nd Oct) and there is no explanation, we will apply the suspended score for Q2 (Cat 3 4 points) plus any future scores accrued in Q3.

Result – 1 x cat 3 breach of permit condition 6.4.3 for non-monitoring of a substance during the quarter – SCORE SUSPENDED PENDING LAB REINSTATEMENT.

Daily Flow

Site are requested to restore the monitoring and reporting of this substance to us as per permit conditions with immediate effect. Site are requested to inform us ASAP when a new laboratory is commissioned to undertake this task.

Site also reported daily and hourly flow limit breaches to us which have been evaluated.

There were 6 daily flow breaches of permit limit (800m³ day) on 10th, 17th, 24th, and 30th Apr as well as the 8th and 16th of May. The 6 hourly breaches occurred on 17th, 24th, 30th Apr, and 8th, 15th, and 16th of May. No uncertainty percentages were supplied with the notifications to NRW therefore we are duty bound to issue a breach of permit condition

These have been compiled into x1 cat 3 breach according to NRW CCS guidance.

Result 1 x cat 3 breach of permit condition 6.4.2 for breaching maximum permitted limits for hourly and daily flows.

Q2 Emissions to Surface Water

Diesel Spill 25th June

Site informed NRW of an accidental spillage of approximately 500 litres of diesel on 25th June and followed up with a schedule 1 part B on 1st July according to procedure. 500 litres of diesel has the potential to cause significant environmental damage to the local watercourses. However, the spill was contained within the site boundary by site personnel and the incident was cleaned up by the sites contractors.

NRW have asked the site to provide copies of the waste transfer notes from the spill response booms used. We are also checking river quality data to ascertain any effect the spill has had. Therefore our response is ongoing pending the provision of the waste accounting and effect on the water courses (Nant Carno - Rhymney). This will be a agenda item at the next site meeting where the site response will be evaluated.

Mineral Oil and Hydrocarbons

Site reported an exceedance in mineral oil with a reading of 9.2mg/l against a maximum permitted value of 5mg/l.

Result – 1 x cat 3 breach of permit condition 6.3.2 for an exceedance in mineral oil and hydrocarbon to surface water.

Suspended Solids

There were no results provided for suspended solids for May. No explanation was provided for this. Site need to fulfil the requirements of the permit. If there is a reason why monitoring at this location at this time could not take place, then the site needs to inform NRW. For non-reporting the W1 monthly SS spot sample for May in the Q2 results we issue a Cat 4 breach of permit condition 6.3.3.

We note that there was a sample which was compromised by the laboratory on 4th Apr. This was explained in the reporting form as a footnote and was adequate to explain why there was no result for this month. A similar note could have been included for the samples in May which would have avoided this non-compliance.

Result – 1 x cat 4 breach of permit condition 6.3.3 for no result of suspended solids during May 2019.

Q2 2019 Summary Table.

Q2 Emissions	Pollutant/Issue	Permit breach
Q2 Air	R404a	Cat 3 – 4 points
Q2 Emissions to Sewer	Non-reporting Anionic Detergent	Cat 3 – suspended pending lab reinstatement
	Daily/Hourly limits	Cat 3 – 4 points
Q2 Surface Water	Mineral Oil and Hydrocarbons	Cat 3 – 4 points
	Non-reporting Suspended Solids	Cat 4 – 0.1 point
Total		12.1 points

End.

EPR Compliance Assessment Report

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Operator/Permit holder	Kepak Group Limited	Date	01/08/2019

Section 3 – Enforcement Response

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.

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

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
G1	C4	return to compliance, inform NRW of any nil returns	31/08/2019
E3	C3	return to permit limits	31/08/2019
E4	C3	Conform to permit limits	31/08/2019
E4	C3	Reinstate monitoring or provide report by deadline	31/10/2019
B5	C3	control and prevent future emissions of FGAS	31/08/2019

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 verbally or 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 that 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 the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The 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 (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The 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

The 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 fifteen 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 officer's line managers using the informal appeals procedure. 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 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.