

Compliance Assessment Report

Report ID:
CAR_NRW0035675

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	11/09/2019	Time in	10:00	Out	12:30	
Assessment type	Audit					
Parts of the permit assessed	All					
Lead officer's name	Taylor, Richard					
Accompanied by	Nick Sharp					
Recipient's name/position	Sharon Corcoran/ Group Environment manager	Date issued	26/09/2019			

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
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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

AP3433ES Kepak Ltd, Dowlais

Present;

Key Kepak Personnel including Sharon Corcoran (Group Environmental Manager), Paul Williams (Site Environmental rep), Carlos Silva (Site Manager), Daniel Nolan (Operations manager), Nicci Tucker (Site Technical Manager), Dean Phillips (Technical), Gareth Gooding (Engineering), Nick Sharp (NRW Officer), Richard Taylor (NRW Site Inspector).

Intro and business update.

Site earmarked for becoming central hub within the group. Intend to resume packaging operation which they are permitted to do. The site is currently operating at close to maximum capacity with 16,000 to 18,000 lambs and 1600-2000 cattle being processed per week. There are no plans to expand into other livestock.

Site has new personnel in post, including a relatively new Group environment manager, Sharon Corcoran based in Ireland.

Overview of complaints made against the site. (last 15 months).

There were 17 recorded complaints made against the site since May 2018. This equates to roughly 1 per month. Site were encouraged to see the number of complaints in perspective against the size of the site, the current business, and the potential of pollution the whole site holds. However, as a permit holder, the site needs to continue to progress towards zero complaints through operating a continuous improvement strategy. Site are reminded that NRW as regulator has a duty to investigate any complaints made against the site and that the permit holder has the duty to record all complaints made against it as part of a good environmental management system. Complaints should be recorded for annual performance figures, and the site should strive to improve this key performance indicator. The nature of the complaints his mainly odour. At the time of the inspection, the site was seen to minimise open doors and windows. The prevailing wind was from the West and took any site odour onto the open moorland adjacent to site. There was some site odour present on site, but none detected off it, so the site was compliant with permit conditions for odour.

Sewer, open discussion

Site reported that there had been no communication from Welsh Water regarding changes to the site effluent discharge consent or the works scheduled for Dowlais High Street. Site officer RT had obtained information from Welsh water and was able to pass this on. The works had been completed in reprofiling the lower Dowlais High Street sewer connection. The work to start the reprofiling work at the top end of High Street is due to start shortly and will take approximately 2 weeks. After this time, the effluent flow through the Dowlais top sewer network should be smoother. It is thought that this will help to smooth out the flow in the area by reducing the drops and the agitation the effluent undergoes and reduce the odour by not aerating the flow. This is ongoing external work which should have a bearing on lowering the number of complaints the site receives for odour.

Current status of permit variation

There was an update from the group consultant. The new variation will aim to include 3 changes.

1. Removal of the incinerator from the site permit. This has never been operated.
2. Increase site permitted area to the fence line. This will bring a wind turbine, as well as surface water monitoring points W1 and W2 inside the boundary.
3. Diversion of surface water away from site. Plans are in place to divert roof water away from the current interceptors on site. There is also approximately 5% of the total surface water which comes from external businesses onto the site through the entrance gate which will also be diverted. The total reduction in surface water going through the interceptors is in the region of 25%-50%. The aim is to enable the interceptors to run more efficiently.
4. At the same time as the permit variation is being processed, there is an opportunity for the site to combine the current surface water sampling regime from W1 and W2 to one representative sample. This would be at a point downstream of where the waters from W1 and W2 meet and before the site boundary. **Site to decide whether they wish for this to be included in the site permit variation.**

Overview of site response to diesel spill on 25th June.

A talk through of the event was conducted as well as the area being viewed on the site tour. The site appeared to respond well to the incident. NRW have not had any adverse water quality effects in the area as a result, meaning that the site actions must have been sufficient to stop the escape of the diesel. The waste transfer notes of the incident were provided on 19th Aug 19. These included the weights of the material collected. These correspond to the approximate weight the diesel would weigh when soaked into the booms used.

Questions remain about how the 500 ltrs was allowed to be pumped through the broken refuelling pipe without being noticed. A review of this situation is requested so that there can be no repeat incidence. As a minimum, site should address the following points.

Recommendations

1. Remove any refuelling 'lock' which may be in place at the refuelling point to allow drivers to walk away from the vehicle whilst refuelling. These lock-open devices increase the risk of fuel spill and overfilling and should be removed. **Site to review the refuelling arrangement on site.**
2. Review the current management system in place for driver training with regard to refuelling. All site refuelling operations should be carried out by drivers who have had the same level of training, including site contractors. **Site to confirm that the training has been reviewed.**
3. Ensure spill kits are located nearby and restock immediately.

Site tour

The site tour revealed cracked concrete in areas around the fuel pump. Site reported that an improvement plan is ongoing to lift and re-set the concrete floor blocks throughout the site. This was a welcome improvement. This is an important area as far as the permit is concerned. Under the Industrial Emissions Directive (IED), 5-year groundwater assessments and 10-year soil assessments have been brought into EPR regulations since 2013 'Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination'. Therefore, this fuel spill needs to be considered in the subsequent reports. It makes it more likely that site needs to fulfil the requirement of the IED by intrusive sampling rather than relying on a systematic appraisal because the exact quantity of diesel which may have seeped through the concrete cracks into the soil is unknown. **Site to plan the 5 year and 10-year samples required by IED.**

There was no evidence of vermin, birds, pests, excess noise, or excess odour experienced around the site. The security arrangements were solid and thorough. No windblown waste was witnessed, the site was clean and tidy and a credit to the operator, especially as at the time of the inspection, the site was under full operation with production at the maximum rate.

Actions from previous CAR forms.

The site sent the following plan to NRW.

Non – Compliance	Action required/advised	Root Cause	Action Implemented
F Gas emission	Control and	The leak came from a defrost	The evaporator was isolated by

of 200kg of R404 on 25 th May 2019	prevent future emissions of F GAS	heater that sparked which caused a bit of hot metal to flick off and resulted in a hole in one of the refrigeration pipes which in turn caused the gas to leak.	the refrigeration contractor and the damaged pipe was replaced. This evaporator was then tested for leaks after repair with no issues.
No measurement of Anionic detergent taken or reported for quarter	Reinstate monitoring or provide report by deadline	Machine failure in contracted lab. Lab are not repairing machine and will no longer be carrying out testing	New lab has been sought and testing will recommence during Week 36.
Daily and hourly flow limit breached	Conform to permit limits	SCADA system disabled in effluent treatment plant due to issue with cable making it difficult for ETP operators to monitor the flows.	SCADA system reinstated in the ETP. Since the reinstatement there have been no daily or hourly flow breaches
Mineral oil and Hydrocarbons	Return to permit limits	Due to the sample results being processed by the lab after the event it is difficult to identify a specific event that led to this breach. Booms are in place in the stream, this will have prevented contamination further down the stream.	Improved awareness training and tool box talks. Signage for spill response erected in fuel pumps area. Interceptors are serviced and maintained regularly and are emptied in the event of a spill by a 3 rd party contractor. Site currently reviewing setting up in-house testing in order to have results immediately
Suspended Solids	Return of compliance, inform NRW of any nil returns	Suspended solids not carried out by laboratory due to a clerical error on the paperwork failing to include suspended solids	Paperwork double checked prior to sending to lab. Samples to be taken earlier in the month so results can be reviewed sooner to identify any issues with the lab/ paperwork.
			NRW comment – all improvements welcomed.

Action from CAR form dated 9th Feb 2018.

Attention was drawn to a requirement for safe access to work areas laid down in EA M18 guidance. The access was judged to be unsafe for surface water monitoring points W1 and W2. The site permit at section 2.10.3 requires safe access to monitoring points. The site previously upgraded W2 with concrete access steps. W1 was left untouched at the time. The site has now installed concrete access steps to W1 also and thus completed this requirement.

Summary of actions and recommendations.

1. W1 and W2 monitoring points to be consolidated in the next permit variation to form one representative surface water sample.	Site to decide whether they wish for this to be included in the site permit variation.
2. Recommendations from the fuel spill on 25 th June	Remove any refuelling 'lock' which may be in place at the refuelling point to allow drivers to walk away from the vehicle whilst refuelling.

	Theses lock-open devices increase the risk of fuel spill and overfilling and should be removed. <u>Site to review the refuelling arrangement on site.</u> Review the current management system in place for driver training with regard to refuelling. All site refuelling operations should be carried out by drivers who have had the same level of training, including site contractors. <u>Site to confirm that the training has been reviewed.</u> - Ensure spill kits are located nearby and restock immediately.
3. 5-year groundwater and 10-year soil reports required by IED.	Site to plan the 5 year and 10-year samples required by IED.

End.

EPR Compliance Assessment Report

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Operator/Permit holder	Kepak Group Limited	Date	11/09/2019

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.

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			

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.