

## Compliance Assessment Report CAR\_NRW0044994

**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:** Audit,

**Reason:** Routine.

**On:** 07/08/2024 between 09:00 and 17:00.

**Parts of permit assessed:** EMS.

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

**Report sent to:** Hannah Stansfield, Environment, Health and Safety Officer, on 19/08/2024.

### 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	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
0	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?

No action required.

### 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

Environmental permits under the Environmental Permitting Regulations 2016 contain a condition requiring a written environmental management system (EMS) and implementation of that system, along with evidence and records of its implementation and application. Permit condition 1.1.1 states: “The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and (b) using sufficient competent persons and resources.” There are also various conditions within the permit that specifically address maintenance, management, accidents, monitoring and resource use. These areas should be supported by the overall management system. Furthermore, the Best Available Technique (BAT) for the Manufacture of organic fine chemicals includes environmental management system implementation as a technique to achieve BAT; see section 4.4.

The EMS should encompass all processes and operations at the site. Typically, the EMS should set the environmental policy, identify significant adverse environmental impacts, identify and comply with applicable legislation, set environmental targets, audit key processes and be subject to periodic internal and external review.

As part of the permit application process the applicant advised NRW that the facility had an EMS which was accredited to ISO14001 and certification was provided to satisfy NRW that a suitable EMS was in place.

This audit was planned in advance and an email requesting pertinent information was sent to the operator several weeks in advance. Prior to commencing the onsite audit, Biocatalysts were asked to provide their Environmental Policy and the latest external 14001 audit report. The operator was briefed that a site visit would be planned so that NRW could review and discuss the following:

- Environment policy and external 14001 audits
- The Impacts and aspects register
- The legal register
- Biocatalysts’ environmental objectives and targets and continual improvements
- Biocatalysts’ internal reviews and audits of the EMS
- Biocatalysts’ organisational chart and the subsequent responsibilities of personnel within the chart
- Current permit requirements
- Management of change procedures

The objectives of this audit were to determine conformity of the management system with relevant guidance (i.e Best Available Technique and How to Comply with Your Environmental Permit). It was also to assess Biocatalysts’ ability to ensure applicable statutory and regulatory requirements are met and to identify where applicable, areas for potential improvement.

The conduct of the audit was as follows:

- Desk based review of the main documentary components of the EMS -Including the external assessor reports under the ISO 14001 management system.
- Environmental policy, plans, aspects, legal registers, internal audits and reviews and change management controls.
- On site review of the EMS components
- Additional information requested where necessary

Overall NRW is seeking confirmation that the site has implemented an EMS, continues to maintain it and support it with appropriate personnel and resource, and audits and reviews its own performance. The overarching objective being to prevent pollution of the environment.

In order to ensure adherence with ISO14001, Biocatalysts has prepared an Environmental, Health and Safety Management Manual which covers on-site operations as specified in the manual. This manual provides information on the relevant resources, organisational roles, responsibilities and authorities as well as planning of actions to address risks and opportunities.

#### **Environmental Policy:**

Biocatalysts Environment, Health and Safety policy, last reviewed internally on 03/01/2024 was provided to NRW prior to the site visit. The Group EHS Policy is signed by the Executive Vice President & Managing Director of Biocatalysts Ltd. Biocatalysts' policy includes the following statements showing commitment to continual improvement and compliance with legislation: Our goal is to mitigate risk...and that the environment is not subject to contamination or pollution from our activities."

and " setting of H & S and Environmental objectives and targets will ensure continual improvement to our procedures, processes and systems to better our health, safety and environmental performance".

#### **Organisational chart:**

Clear and accessible organisational charts and role descriptions are key to ensuring that an organisation has considered resources and responsibilities relating to environmental compliance.

During the site visit, NRW officers were able to view relevant sections of the organisational chart. The chart provided a structure of the compliance department and identifies that the EHS Officer reports to the Compliance Manager. This chart is available to all employees through the companies HR system. Biocatalyst were then asked to provide examples of role descriptions. The EHS Officer role description was viewed and could be seen to include responsibility for the upkeep of the sites environmental permit. The role profile for the Senior Engineering Manager was provided by email and included the following statement: "Due to the nature of our business, various policies around (for example, and not exhaustively) Health and Safety, Food Safety and Environmental Management are in place, and are externally regulated. You are trusted to operate within these rules; and to protect yourself, colleagues, customer and the public at all times."

**Environmental Aspects**

The elements of an organization's activities, products and services that can interact with the environment are called environmental aspects. Changes to the environment, either adverse or beneficial, that result wholly or partially from environmental aspects are called environmental impacts. The relationship between environmental aspects and associated impacts is one of cause and effect. An organization should have an understanding of those aspects that have or can have significant impacts on the environment, i.e. significant environmental aspects. An organization should identify environmental aspects within the scope of its environmental management system that are associated with its past, ongoing and planned activities, products and services. To facilitate planning, an organization should maintain appropriate information on the environmental aspects identified and those considered significant. The organization should use this information to understand the need for and to determine operational controls.

Biocatalysts' environmental aspects and impacts spreadsheet was received by NRW and includes aspects, impacts and risk assessment. In this spreadsheet, aspects are clearly identified and potential impacts are assigned based on seven broad categories of impact: Statutory Nuisance, Air Pollution, Contamination of Land, Controlled Wastes, Hazardous Wastes, Resource Depletion, Water Pollution.

Once impacts are assigned, they are scored and risk ratings are applied. At this stage, Significant Impacts are identified on the register. Control measures are then identified for each aspect and the residual risk ratings are calculated based on likelihood and severity of the impact with controls in place.

Recommendation: Biocatalysts should ensure that relevant legislation associated to each aspect is considered on this spreadsheet.

**Legal Requirements and Register:**

An organization should establish, implement and maintain a procedure for periodically evaluating its compliance with the legal requirements that are applicable to its environmental aspects, as part of its commitment to compliance.

Biocatalysts maintains a legal register spreadsheet which is regularly updated through a subscription to a third party service. When relevant legislative changes are made, the compliance manager is updated by emails from this service and these updates are included in the EHS committee quarterly meetings, this was evidenced through minutes of a previous meeting being shown to NRW during the site visit. Biocatalysts provided NRW with a copy of 'EHS-PRC-012 Maintaining the legal compliance log' evidencing that the company has a system for monitoring legislative compliance in the its aspects. NRW restricted its assessment to the procedures and maintenance around the register itself.

**Objectives and Targets**

The process of setting and reviewing objectives and implementing programmes to achieve them provides a systematic basis for the organization to improve environmental performance in some

areas whilst maintaining its level of environmental performance in others. Both management and operational performance can be addressed through the setting of objectives. This element of the EMS is closely tied to the establishment of significant environmental impacts as this is ideally (amongst other things) where the operator should aim to set targets for improved environmental performance.

The EHS Manual states “Biocatalysts Ltd establishes environmental, health & safety objectives and targets to fulfil the policy and improve performance in areas related to its environmental aspects, possible impacts, risks to health & safety, and compliance obligations. Objectives are maintained in areas concerning the prevention of pollution and maintaining a safe and healthy environment in which to work.”

A project management software is used to ensure that objectives and targets from the management system can be visualised and that key KPIs can be monitored so that these can be monitored by individuals. The above mentioned software was demonstrated to NRW officers during the site visit.

#### **Environmental Review and Internal Audits**

The principle purpose of these clauses in ISO 14001 is to ensure the operator reviews the system, plans internal audits, carries out internal audits, leading ultimately to retaining registration to the standard and safeguarding the environment.

Biocatalyst have shown commitment to retaining their 14001 certification through consistently gaining external audit reports with minor recommendations and no non compliances. The next 14001 external audit is scheduled for the near future, with these taking place roughly every 6 months.

Biocatalysts’ EHS manual acknowledges the importance of EHS audits and references the companys’ internal audit procedure: QA-PRC-009. A schedule of internal audits is kept and it is the Compliance managers role to ensure that internal audits are carried out in given quarter.

Recommendation: please update the EHS Manual to reflect the Compliance Managers role in ensuring that internal audits are carried out according to the internal audit schedule.

#### **Conclusion:**

NRW is pleased to report that Biocatalysts have retained their registration to ISO 14001. The documents provided show that the site has good systems and procedures in place to implement, review, plan and act on the EMS. This has led to a good record of environmental performance and demonstration that the system is fit for purpose.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document ‘Natural Resources Wales’ means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

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.