

Compliance Assessment Report CAR_NRW0046221

Permit being assessed: BP1772IZ.

For: Poeton Cardiff, **held by:** Poeton (Cardiff) Limited

At: Poeton (Cardiff) Ltd, 283 Penarth Road, Cardiff, Cardiff, CF11 8UL.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: 3.1.2, 4.2.

NRW Lead Officer: Dale Padfield.

Report sent to: -, HSE & Facilities Manager, on 11/02/2025.

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	C3 Minor	1.1.1
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C3 Minor	3.1.2
IR4B - Installations - Information - Reporting	Assessed (A)	

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	Action 1: Poeton to review the sites accident management plan and provide a copy once the review is complete. Poeton to provide evidence that staff have received appropriate training in relation to the plan post review.	31/03/2025
IR3A(1)	Action 2: Poeton to investigate options and implement an appropriate measure to mitigate the risk of process tank over filling during filling and topping-up. Provide NRW with written	31/03/2025

Criteria	Action needed	Complete by
	confirmation of the measures implemented.	

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Poeton (Cardiff) Limited

EPR/BP17712IZ

This compliance assessment report details the following:

- Bi-annual emissions reporting
- Annual performance reporting review
- Schedule 5 notification regarding chromium spill & exceedance

Bi-annual (July – December) 2024 emission to sewer (S1)

All parameters within their respective ELVs, except chromium which is discussed in the 'Schedule 5' section below. The report is accepted.

Schedule 5 notification - Chromium incident

Summary of incident

On November 4th, 2024, Poeton discovered high concentrations of chromium when taking a daily sample of the weekly composite, with concentrations of 55.1 mg/l recorded. An initial estimate of 4 kg (74 m³ * 55.1 mg/l) was reportedly discharged to the sewer.

Following the discovery on Monday the 4th of November, Poeton proceeded to shut down the ETP and decant the effluent contained within the plant sumps, reintroducing the effluent in small quantities to 'batch' treat, ensuring full reduction of hexavalent chromium to trivalent, allowing the chromium to be precipitated out of solution and removed before final discharge.

A follow-up investigation conducted by Poeton concluded that the incident had occurred sometime between 8 PM on Friday 01/11/2024 and 8 AM on Saturday 02/11/2024. The investigation identified the anodising plant as the likely origin, as chrome was found within the drainage system of this plant. Further investigation ruled out all other areas of the plant.

No reports of spills or leaks were made by any of the operatives on shift during the suspected time of the incident. The operatives stated the floor of the anodising plant had been washed down during the

shift, however, Poeton has stated that this is highly unlikely to result in the levels of chromium that were detected.

Poeton suspects the incident was likely a result of the overfilling or overflowing of the chromatic acid tank, but has no evidence to support this conclusion, other than the absence of any other explanation for the high levels detected. Poeton suspects that during the 'topping up' of the chromatic acid tank, the hose was left unattended, resulting in the tank overfilling and spilling into the drain.

Although Poeton took corrective actions upon discovery on the morning of the 4th, this was approximately 48 hours following the initial incident. Poeton staff had failed to effectively contain the spill during the incident, failed to follow any emergency/spill procedures and failed to correctly report the incident. This is seen a failure to follow the sites environmental management system.

Poeton is responsible for ensuring that the risk of pollution from operations, maintenance, and accidents is minimised through the implementation of the EMS. To ensure the risk from accidents is appropriately managed, written procedures should be in place to the detail the response to any identified accident scenarios. Staff should be fully aware of these procedures, receive appropriate training and have adequate resources available to manage an accident / incident in line with any procedures.

The operations conducted at the facility utilise many hazardous chemicals, the inappropriate management of which, particularly during an accident/spill scenario could pose a significant risk to both people and the environment. As the operator of the installation, Poeton has a responsibility to ensure staff take appropriate action during an incident. The following non-compliance will be issued for the management system failure.

Non-compliance: A category 3 non-compliance is issued for failing to follow written procedures during an accidental spill of hazardous liquids. Permit Condition 1.1.1.

As an incident has occurred, Poeton should review its accident management plan (AMP) to ensure it is still fit for purpose. Spills or incidents that impact the ETP should be considered with appropriate procedures in place to mitigate potential impacts i.e., overwhelming the ETP and making the treatment ineffective. Poeton should also consider if appropriate resources are in place to effectively manage potential incidents during an 'out of hours' or reduced staff scenario. All staff that may be responsible for managing/responding to an incident should receive appropriate training in any relevant procedures. BAT would also be to consider conducting an emergency drill to test the effectiveness of the procedures and re-fresh staff in their responsibilities.

Action 1: Poeton to review their accident management plan and provide a copy once the review is complete. Poeton to provide evidence that staff has received appropriate training in relation to the plan post-review. **Due 31/30/2025**

Poeton has estimated a total release of 4kg and has suggested the total may be lower due to uncertainty in the effluent meter reading, as readings are taken daily at 08:00 (Monday to Friday). However, Poeton should also consider the uncertainty associated with the spot sample, as this sample was taken from the composite sample container, which may not provide an accurate picture of the concentration

during the peak of the incident. Chromium, particularly in the hexavalent form is highly hazardous and is classified as a dangerous substance under UK REACH, with its use highly restricted and controlled due to its toxicity.

Fortunately, the release was contained to the internal ETP drainage and subsequent release to the DCWW sewer and not a direct release to the environment. However, as you're aware, metals are conservative materials, they are neither created nor destroyed within the effluent treatment plant. Their form may be changed and/or managed so they cannot readily access environmental pathways. When metals are not effectively captured by the onsite ETP, they are transferred to the sludge at the DCWW sewer treatment works, which in turn is used for nutrient enrichment on land. As such, any metals discharged to the sewer are ultimately deposited into the environment. The overall impact of the release is likely to be relatively low, given the large volume of effluent and likely dilution that would have been provided at the DCWW treatment works.

The weekly composite sample, as required by the permit, gave a chromium result of 11.4 mg/l, the permitted ELV is 2.0 mg/l.

Non-compliance: A category 3 non-compliance is issued for exceeding the weekly emission limit for chromium. Permit Condition 3.1.2

Poeton has installed CCTV in the anodising department and reminded all staff of their responsibilities. Additional instruction has been given stating that operators should make the lab aware prior to cleaning any flooring, so washing can be contained and undergo batch treatment.

Poeton needs to also consider other measures to mitigate the potential for a tank over-topping to occur, as this was the suspected true cause of the incident. Process tanks should not be left unattended whilst being topped up. To prevent staff leaving hoses unattended, Poeton should consider fitting hoses with a 'dead man's handle' ensuring that the hose can only be operated with a staff member present. It would also be expected that a written procedure be in place for undertaken this activity.

Action 2: Poeton to investigate options and implement an appropriate measure to mitigate the risk of process tank overflowing during filling and topping-up. Provide NRW with written confirmation of the measures implemented. **Due 31/03/2025**

Annual Performance Reporting Review 2024

Business Overview

Operations continue to grow at the Cardiff facility, Poeton has reported an increase of 25% in turnover but has had a 25% decrease in overall parts processed due to a shifting of work streams between sister facilities. Poeton has recruited a further 8 staff members during 2024.

Energy usage

Primary energy use has shown a steady increase year on year since 2020, however, the performance indicator (energy use per operational hour) has only marginally increased. Poeton continues to monitor energy usage and employ energy efficiency measures where possible. Poeton reported that the wet summer in 2024 resulted in higher use of space heating to combat increased humidity levels which

impacted the paint operations.

Water use

Water use has seen a dramatic reduction in 2024, with a decrease of 5,244 m³ of water used when compared to 2023, this has resulted in a significant reduction in m³ of water per operation hour. Poeton reported that increased awareness of staff, ensuring rinses are switched off when not in use and the use of croffles on heated tanks to minimise evaporation losses have helped in the reduction seen. Poeton hopes to implement water control systems during 2024, NRW looks forward to seeing these measures implemented.

Waste

Total consigned waste has seen a decrease in 2024 when compared to 2023. Furthermore, hazardous waste has seen a significant decrease. Poeton has reported that the senior project manager has been successful in reducing wastage through improved sock control and better overall management.

Mass release of cadmium and mercury

The mass release of mercury continues to be 0.002 mg as in previous years. Mass release of cadmium has almost halved when compared to 2023. It is apparent that the improved management of the ETP is having a beneficial impact on emissions. This is has also been realised with the reduction of schedule 5 notifications regarding ELV exceedances to the S1 emission point.

With the exception of the chromium exceedance (the result of a spill incident), Poeton has remained compliant with the ELVs throughout 2024, a significant improvement from the previous year. As an additional note, the UK Best Available Techniques (BAT) review for the surface treatment of metals and plastics (STM) has begun. When finalised it will trigger an NRW-initiated review of the Poeton permit. However, it will likely be some time before we see the final publication of the updated BAT conclusions document.

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.