

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

Site	The Research Centre	Permit Ref	SP3936TL		
Operator/Permit holder	Cenin Limited				
Regime	Installations				
Date of assessment	19/03/2019	Time in	11:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Monitoring, EMS, TCM				
Lead officer's name	Warrick, Linda				
Accompanied by					
Recipient's name/position	Vicky Griffiths/ Business Support	Date issued	29/05/2019		

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	C2	3.31(a) and Table S3.1
C2 - General Management - Management system and operating procedures	C2	1.1.1 a) and b)
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	4.3.1 a) and b)

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	3	Total compliance score (see section 5 for scoring scheme)	66
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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

Present

Vicky Griffiths (VG) – Cenin Ltd (CL)

Richard Stroud (RS) – Cenin Ltd (CL)

Glen Shide – Green Triangle Management Systems (Consultant)

Linda Warrick (LW) – Natural Resources Wales (NRW)

The purpose of the site inspection was to assess compliance with the environmental permit, reference EPR/SP3936TL that is held by CL.

1. Emissions Monitoring and Notifications

There have been issues with the monitoring equipment since early 2017.

The delay in the site dealing with this in a prompt manner has been highlighted in the most recent inspection. An e-mail from Vicky Griffiths in March 2018 highlights the fact that there

were problems with the equipment but that it was being dealt with.

After reviewing the annual report in 2019 the issues have not been resolved. The equipment was still not functioning with a high number of recordings exceeding the emission limits set out in Schedule 3. The site has been scored in this last inspection with timescales to ensure the monitoring equipment is fit for purpose.

Due to the failure of the monitoring equipment, CL have not completed the monitoring requirements set out in Table S3.1 as required under condition 3.3.1(a). This is confirmed in the annual reports submitted in 2018 and 2019.

Failure to carry out these monitoring requirements is a breach of condition 3.3.1(a) and (b) and Table S3.1

This breach has been scored a C2 breach under B5 – Plant and Equipment

1. Reporting and Notification

During 2018 and 2019, NRW were not notified of the known issues associated with the monitoring equipment. Condition 4.3.1(a) and schedule 5 of the permit requires NRW to be notified without delay (within 24hours) following the detection of any malfunction, breakdown or failure of equipment or techniques which has caused, is causing or may cause significant pollution. CL did not notify NRW during 2018 and 2019 and as such this is a breach of condition 4.3.1.

This breach has been scored a C3 under G4 Reporting & Notification to NRW.

1. Written Management System and Competent Persons

On the 16/01/2018 LW was informed via e-mail by Wyndham Abbott (Main site contact and lead TCM at the time) that he was no longer working for the company and that the main point of contact was now VG. This has resulted with the only TCM being Philip Davis (PD). PD works in the laboratory and has a limited management role. At the time of my last Inspection his continuing competency certificate has lapsed (October 2018). CL had appointed a consultant, to act as a TCM for the site, in the interim between PD gaining his continuing competency award.

This has been highlighted as a weakness during the last site inspection. Philip Davis has now completed his continuing competency and this is valid until 2021.

It is important that the CL have sufficiently competent person and resources who have a full understanding of the permit condition requirements, including but not limited to the written management system, monitoring requirements and reporting requirement to NRW and that they are adhered to at all times. The non-compliances highlighted above, demonstrates that this has not been in place during 2018 and 2019 to date.

As CL have a written management system and this procedure has not been followed or requires updating, the management system needs to be reviewed to ensure this does not happen again. This failure has resulted in a breach of the monitoring requirement set out in the permit. As a result this is a breach of condition 1.1.1 (a) and (b).

This has been scored a C2 breach under C2 management systems.



EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034979**

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Operator/Permit holder	Cenin Limited	Date	19/03/2019

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
C2	C2	Ensure the management system is updated to capture these issues to prevent reoccurrence	24/06/2019
G4	C3	Respond with justification and the actions taken to rectify the issues	10/06/2019
B5	C2	Ensure monitoring equipment is fit for purpose and reporting meets the permit requirements	24/06/2019

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.