

## Compliance Assessment Report

Report ID:  
CAR\_NRW0036271

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	31/01/2020	Time in	10:00	Out	15:00	
Assessment type	Report/Data Review					
Parts of the permit assessed	1.0,2.0,5.0					
Lead officer's name	Taylor, Richard					
Accompanied by	Harris, Geraint					
Recipient's name/position	Sharon Corcoran/ Group Environmental manager	Date issued	04/02/2020			

### 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

**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	1	Total compliance score (see section 5 for scoring scheme)	4
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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 Top)

### Round up of 2019 Annual Returns, Q4 2019 returns, and reported breaches for Q4.

The site submitted their Q4 and annual returns on time in accordance with permit conditions. NRW also received the site environmental improvement plan to satisfy permit condition 9.1, and the fugitive emissions report under p.c.9.1.6.

These were analysed and accepted with the following comments.

#### Annual Returns for 2019

- Forms A1, A2, A3 & A5– these are nil return forms which were placed in the permit to record the incinerator performance. Since the site has decommissioned this, there is no need to continue to submit these blank returns. Recommended that site discontinues this practice for future reporting.
- W1 & W2 reports were within permit limits. Received on 31/01/2020 and accepted in full.
- S2 report sheet - This records that the site has reported the emissions from sources S1, W1 and W2 to NRW. There is no need for this report to be continues because the emissions to sewer and surface water are recorded and sent to us separately. Recommend the site discontinues this practice – over reporting.
- A4 release to air. This was measured in Feb 2019. There are no reportable limits for this emission point. The releases for CO was zero, with the maximum emission for NOx was 14.58 from A3 boiler.
- R1 – the figures sent were accepted. However, the source of the conversion factors used for CO2 calculation should be referenced for easier cross checking.
- R2 – There were slight increases in wastes to landfill compared to 2018, but a zero return for plastic waste. We also note that the site will provide a further breakdown of the components it releases to drain. Awaiting report.

#### Q4 returns Oct-Dec 2019. Inclusive.

- W1 & W2 – Monthly samples were within permit limits. We note a relatively large increase in Decembers Oil of 4.4mg/l, but this was still under the 5.0mg/l limit.
- S1 – There were reported exceedances of the permit limits of 800m<sup>3</sup> for daily flow and 34m<sup>3</sup> hourly maximums. However as per CAR form NRW0035868 dated 25/10/2019, the tolerance of the MCERTS

flowmeter on site allows an uncertainty of +/-8%, meaning that NRW cannot score permit breaches for up to 8% over the maximums given by the permit. Therefore, the maximum daily flow of 859.7m<sup>3</sup> emitted in Q4 and the hourly flow limit of 35.8m<sup>3</sup> did not breach the limits with the 8% applied of 864m<sup>3</sup> daily and 36.72m<sup>3</sup> respectively.

#### **Q4 reported breaches.**

- Site reported an emission of 147kg of refrigerant gas R404A in the quarter. This has a global warming potential of 3920.6 CO<sub>2</sub> t/e, meaning that the CO<sub>2</sub> equivalent is 576 tonnes.
- A further report of 159kgs of R448a was reported. This has a GWP of 1385.85, meaning the CO<sub>2</sub> equivalence is 220 tonnes.
- Both releases for the quarter have been scored as one breach with the same root cause against permit condition 2.1.2. NRW scores the root cause for air emissions and awards this breach for conditions which cover the maintenance of all site equipment.
- **Result – 1 x Cat 3 breach of permit condition 2.1.2 – 4 OPRA points.**

#### **Site Inspection carried out at OMA on 31<sup>st</sup> Jan 2020**

NRW carried out an Operators Monitoring assessment (OMA) audit on the site. This involved a site tour to view the water discharge points at site. During the tour, the following was noted for the site and is officially recorded here against the site record.

- Pests/vermin/flies – none witnessed at site.
- Seagulls – minimum.
- Noise – no excess noise observed
- Odour – no excess odour experienced.
- Waste – no wind-blown waste witnessed on site.
- Infrastructure – concrete floor was seen to have no visible cracking.

End

## EPR Compliance Assessment Report

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Operator/Permit holder	Kepak Group Limited	Date	31/01/2020

### 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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### 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			
B5	C3	improve operations	29/02/2020

## 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](mailto: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.