

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

Site	Poeton Cardiff	Permit Ref	BP1772IZ		
Operator/Permit holder	Poeton (Cardiff) Limited				
Regime	Installations				
Date of assessment	29/01/2020 - 04/03/2020	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Monitoring				
Lead officer's name	Harris, Geraint				
Accompanied by					
Recipient's name/position	Yan Horton/ HSE Consultant	Date issued	05/03/2020		

### 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
<b>KEY:</b> See Section 5 for breach categories, suspended scores will be indicated as such. <b>A</b> = Assessed or assessed in part (no evidence of non-compliance), <b>X</b> = Action only, <b>O</b> = Ongoing non-compliance, not scored.		

<b>Number of breaches recorded</b>	<b>0</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>0</b>
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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

### Poeton (Cardiff) LTD

#### Permit number BP1772IZ

At about midday on 29/01/2020 Heather Pepper from Welsh Water called Poeton to advise them that a spot sample taken on 23/01/2020 was found to be in breach of its permitted limits for Cadmium and Chromium. This prompted Poeton to inform NRW of the breach via a schedule 5 notice. Within 24 hours of the schedule 5 notification Poeton emailed NRW with their initial findings and reasons for the breach. These included the following:

*"We have been investigating the matter and are still looking into possible causes. We believe that the high levels were due to a combination of a large batch of parts that we do not often process and possibly some sloppiness on behalf of operatives. The design of the parts in question is such that it tends to retain quite a bit of tank solution when they are raised out of the tank. If the operative does not shake the jigged parts sufficiently above the main process tank before progressing onto the drag-out and rinse tanks there is a risk of a small spillage of solution that could make its way to the foul sewers and then the effluent."*

The CAR Form sent on the 24<sup>th</sup> October 2014 as a result of a site visit on the 17/10/2014 mentions the need for Poeton to conduct a BAT conclusion assessment on their existing practices and procedures. The indicative BAT techniques relevant to your installation are set out in the Technical Guidance Note TGN IPPC S2.07. Poeton, as a surface treatment installation are subject to the BAT (Best Available Techniques) Reference Document (BREF) entitled 'Surface Treatment of Metals and Plastics' released in 2006. As a consequence of this, the procedures and process at Poeton should be developed and implemented with the current 'Best Available Techniques'. One pertinent section in the aforementioned BREF is mentioned below:

#### ***"4.6.3 Reduction of drag-out – jig (rack) processing.***

#### ***Description***

*Arrange the largest surfaces of the workpieces in a vertical position at the jigs (racks) allows the adhering solution to run down to the bottom edge of the workpieces,*

*The longer dimensions of the articles are normally arranged horizontally and/or slightly inclined to allow the adhering solution to run down, improving drainage.*

*The lower edge of all articles may be tilted to allow the droplets to cohere and facilitate dripping down above the process tank.*

*When lifted out of the process solution, the jigs may be tilted in such a way that large droplets can be formed faster and drip down from the lowest point of the suspended articles. Allow sufficient drainage time above the process tank to let the adhering liquid to cohere and form droplets which will drip from the articles*

*By slow withdrawal of the jigs from the process solution, the drag-out volume can be decreased considerably. Therefore, slow withdrawal and a sufficient drainage time above the process tank can significantly minimise drag-out. Withdrawal and dwell times given in Table 4.2 below are valid for some specific processes and are given as indication only. The times vary according to the specific processes.”*

It is therefore evident that Poeton have not been following the BAT's for their particular industry. Additionally, the management system that's required by the permit under Condition 1.1 states that a written management system should be in place 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. From the response mentioned below it is evident that the management system is not sufficient enough given the identified gaps in the produces highlight by Yan Horton. Adequate procedures and training should be written and revised periodically as part of the management system to reduce the risk of incidents occurring.

- An immediate toolbox talk will be undertaken with General Plating employees. - **Done**
- Further, in depth, training will be planned to take place over the next few weeks, this will involve consultation with the employees that work on the suspected processes to make sure that the suggested improvements are workable for them and will be utilised. – **Planned to take place over the next couple of weeks, this will be a joint training/consultation process that will involve operators, production management, HSE team as well as cooperation from our health, Safety and environment committee.**
- A swivel-bar will be made and mounted by the tank so that the operatives can hook the jig onto the bar to allow the process liquid to drain back into the tank (the fully laden jigs are fairly heavy and until the bars are installed operatives will be reminded to load only as many parts on the jigs that they can hold above the tank for enough time to let drainage take place). – **On order, is being custom made**
- A step will also be added to the side of the tank to raise the operatives' position in relation to the tank.- **On order, is being custom made**
- We will take into consideration whether the provision of a spray rinse is feasible. – **This is not possible at the moment as we operate with very limited space. If the opportunity arises in the future to redesign the area then a spray rinse will be taken into consideration as this would also allow us to re-use the rinse water.**

- All the sludge from the effluent plant will be emptied and removed by tanker to make sure that the presence of particles does not give rise to incorrect high level results. – Will be done as soon as we can get a tanker from our waste disposal people, they are trying to free one up as soon as possible.
- We will weaken the chromate passivate to reduce the risk of any drag over and the consequences of any drag-over should it occur. – Started a gradual reduction of the chrome content of the passivate.

Upon undertaking a site visit and correspondence via email it has become evident to NRW that the monitoring of the effluent treatment system needs improvement. Poeton are currently sending samples to their Gloucester facility on a weekly basis and are subject to a monthly spot check and composite analysis by Welsh Water. It is important to periodically monitor the effluent to ensure optimal treatment conditions and to identify breaches as soon as possible. The breach in discharge limits was the result of a sample taken on the 23<sup>rd</sup> January. However, Poeton were unaware of the breach until contacted by Welsh Water on the 29<sup>th</sup> January. This process has the potential to result in effluent being discharged over the discharge limits for excessive periods of time. Poeton's decision to invest in their own AAS would help to gain better control of the treatment facility. A comprehensive audit of the Treatment Facility and all the relevant paperwork including; SOP's, training, monitoring analysis will be conducted this year by NRW.

**Action:**

Update your EMS to incorporate the changes you have made and plan to make with regards to training and operating procedures.

**Action:**

Ensure that Poeton Cardiff meets the BAT requirements for Surface Treatment of Metals and Plastics.

**Action:**

Pump out the sludge from the effluent treatment plant as soon as possible.

The results of the weekly analysis conducted by Poeton Gloucester were sent to NRW on the 26/02/2020. There is an issue with a result for Chromium on the 19/12/2020. An email requesting more information will be sent separately to this CAR Form.

End.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0036423**

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Operator/Permit holder	Poeton (Cardiff) Limited	Date	29/01/2020

### 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			

## 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.