

Compliance Assessment Report

Report ID:
CAR_NRW0036446

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

Site	Celtic Chemicals Limited	Permit Ref	NP3634MU			
Operator/Permit holder	Celtic Chemicals Limited					
Regime	Installations					
Date of assessment	10/03/2020	Time in	10:30	Out	12:00	
Assessment type	Audit					
Parts of the permit assessed	See summary					
Lead officer's name	Davies, Ieuan					
Accompanied by	Baskerville, Guy					
Recipient's name/position	Rhys Woolcock/ Director	Date issued	17/03/2020			

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
C4 - General Management - Storage, handling labelling and Segregation	C3	3.3.2

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

Attendees

- Rhys Woolcock (Director)
- Richard Samuel (Hydro Industries)
- Stephen Cross (Hydro Industries)
- Ieuan Davies – Industry Regulation Officer (Natural Resources Wales)
- Guy Baskerville – Industry Regulation Officer (Natural Resources Wales)

Introduction

A meeting was prearranged to introduce Ieuan Davies (Natural Resources Wales) to the site operator following the departure of the former inspector, Nick Jenkins, to another role within NRW. The operator provided a site overview, including background information on the viability of proposed waste water treatment system on site.

Wastewater Treatment System

Rhys Woolcock described the proposed waste water treatment system and how pertinent the system would be to allow the continuation of the chemical processes held at Celtic Chemicals Limited.

Celtic Chemicals generate approximately 100m³ of wastewater per annum from existing processes which until recently had been disposed of via Tradebe who tankered to their treatment facility. Substantial increase in cost of disposal of wastewater has made on site treatment of wastewater a viable option.

Richard Samuel & Stephen Cross proceeded to detail the process of treating the wastewater at the Celtic Chemical facility.

Storage of waste water contrary to Condition of 3.3.2 of Permit NP3634MU

Rhys Woolcock did state that Celtic Chemicals were storing approximately 100m³ of wastewater on the permitted site in the existing 20m³ bunded wastewater tank as well as adjacent IBCs. This is due to the rising costs of tankering & treating said wastewater. Inspector stated that the facility are not permitted to store wastewater and are in breach of their EPR Permit and would be scored accordingly.

It was stated that completion of commissioning and the treatment of the stored wastewater will be completed within 5 months from the date of inspection. Inspector has asked for this to be clarified

in writing.

Compliance with Low Impact Installation Criteria

Inspector is yet to receive report detailing compliance with criteria for Low Impact Installation as per *Schedule 5 Table S5.3 Performance Parameters* which should be submitted annually. Inspector asked for the report to be sent immediately.

Site Tour

The Inspector was guided around the external of the permitted installation.

1.Bunded Wastewater Storage Tank

Permitted wastewater storage tank was sat inside a secondary containment bunded area. This bunded area was filled with approximately 50% liquid matter (believed to be rainwater) and thus decreasing the bunds ability to hold 110% capacity of the wastewater storage tank as per recommended guidance. Inspector advised to empty bund and to implement new inspection procedure ensuring the secondary containment has capacity.

2.Impearmearable surface in readiness for Wastewater Treatment Plant

The impermeable concrete pad is encompassed by drainage which feeds into an underground sump to mitigate environmental impact of an unplanned release of contaminating wastewater. Inspector noticed that one corner of said concrete pad was not draining correctly into the sump and has asked Operator to ascertain the effectiveness of the drainage channel.

3.Minimising risk of storing wastewater

Inspector stated that the storage of wastewater especially at such high volumes carries a risk of which measures and procedures should be put in place in the short term to minimise risk. The site is located on an industrial park and could be targeted by vandalism. The site is fully surrounded by palisade fencing and is monitored via CCTV along with security lighting. Inspector stated that the main gates should remain locked at all times to reduce the risk of vandalism, and for wooden pallets to be removed from site to minimise the risk of fire damaging the IBCs.

Conclusion

This was the first visit since change of inspector, its purpose to familiarise the officer with site operations, establish links with the site management and to discuss details on the proposed wastewater treatment system.

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EPR Compliance Assessment Report

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Operator/Permit holder	Celtic Chemicals Limited	Date	10/03/2020

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.

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			
C4	C3	Installation of waste water treatment system and improvement on bund management	24/08/2020

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. 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.