

## Compliance Assessment Report CAR\_NRW0036892

**Permit being assessed:** DP3030ZC.

For: PB Gelatins EPR/DP3030ZC, held by PB Gelatins UK Limited

At: Unit A6 Severn Road , Treforest Industrial Estate, Pontypridd, Rhondda Cynon Taf, CF37 5SQ.

**Type of assessment carried out:** Audit, Reason: Incident Response (Incident number 2005205).

On 20/07/2020 - 01/09/2020.

Parts of permit assessed: EMS

**NRW Lead Officer:** Geraint Harris.

**Report sent to:** Julie Campbell, EHS Manager on 01/09/2020.

### 1. Summary of our findings (full details in section 4)

| Part of permitted activity assessed (criteria)                       | Assessment result | Permit condition     |
|----------------------------------------------------------------------|-------------------|----------------------|
| C2 - General Management - Management system and operating procedures | Ongoing (O)       | Permit condition 1.1 |

Result types are explained in more detail in the 'Important Information' section below.

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 0                                        | 0                          |

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 |
|----------|-----------------------------------------------------------------------|-------------|
| C2       | Improve maintenance to ensure incidents like this don't happen again. | 30/09/2020  |

Action 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

PB Leiner  
Permit EPR-DP3030ZC.

We acknowledge receipt of the letter dated 16<sup>th</sup> July 2020, from your solicitor and can confirm that we have taken the factors raised into account. All actions relating to CAR Form CAR\_NRW0036429 (Action 9) are now complete and closed. As a result of the response from PB Leiners, Actions 1,2,3,5,6,7,10,11, are considered complete, however, they will be subject to inspection during future NRW visits.

On Monday the 20<sup>th</sup> July 2020 NRW received a phone call and a subsequent schedule 5 notice for the following incident: "The backup pump which operated intermittently, the 1.5 inch self-priming valve pipework sheared which then sprayed water onto the wall of the effluent plant which in turn sprayed effluent water into Keyline storage area."

Following the notification PB Leiners were asked to provide answers to the following:

- Firstly, please provide an organogram of the site's management and maintenance personnel.
- We would like to know who is responsible for various aspects of the installation including creating maintenance schedules?
- Please provide a description of how maintenance of equipment is integrated into the sites operating procedures and management systems?
- Do you have a procedure for identifying environmentally critical equipment and processes?
- Is there an assets register for all the equipment?
- Is there a risk-based approach to identifying maintenance needs on all equipment and processes?
- Finally what is the relationship between PB Leiners and Veolia Ltd concerning maintenance of the boiler house equipment and area?
- There appears to be a fitted piece of metal installed to support the self-priming valve. Was this installed before the incident or after? Is the support bracket specifically designed for that piece of equipment or was it a machined piece of metal adapted for use to prop up the valve?

On the 19<sup>th</sup> of August 2020 PB Leiners provided detailed responses to the above request. These have since been inspected by NRW.

From the investigation conducted by PB Leiners the shearing of the pipework was a result of a tapered edge support bracket not providing enough support to the pipework. This coupled with the pipework connection was only inserted into the priming device by 2.5 treads, not the full tread amount. Following the discovery of the shearing and subsequent effluent emission a technician took a template of pump 1 support bracket (no tapered edge) fabricated and then installed the bracket.

PB Leiners report that on the Monday morning at 07:05, the SHE Manager went directly to Keyline to meet with the Site Manager. Both parties went to the back of Keyline's storage area to inspect if any effluent/product could be found. Upon inspection nothing could be found in the area, there was no sign of anything in any of the surrounding area. Upon inspecting the photos and video footage of the incident there does not seem to be evidence of effluent within the keyline property. It appears as though the surrounding wall had maintained the effluent.

NRW have been made aware of the amount of preventative maintenance taking place at PB Leiner, Notwithstanding this, a second incident within a short space of time is not insignificant and suggests a systemic management system issue is the cause. A robust and effectively implemented EMS is a requirement of your permit (condition 1.1.) and notwithstanding the unproven sabotage claims from the previous incident, there were deficiencies identified in the management and maintenance systems. PB Leiners were able to provide detailed responses to the requests made by NRW with regards to onsite

maintenance. However, there must have been a deficiency within the system if an inferior support bracket was employed on one pump's pipework and not the other. Furthermore, the poor insertion (2.5 treads) of the pipework into the priming device is either a result of poor workmanship or occurred through vibration as a result of the insufficient support. Either way a more robust maintenance procedure needs to be in place to ensure this doesn't happen again. This further supports the awarding of a category 2 for the incident regarding the caustic spill (CAR\_NRW0036724). It is vital that all environmentally critical equipment are captured within the EMS and are maintained to the highest standards to avoid any further incidents. NRW welcomes the review and subsequent intended outcomes mentioned within their investigation and repeated as follows:

"On further investigation from the bracket being tapered and also the pipework not being fully inserted, the standard of work that the maintenance team has undertaken across site has been reviewed, refresher training on Safe Maintenance and best working practices will be undertaken for all the maintenance team."

**Action1:** NRW would like to know more information on how PB Leiners manages and implements its engineering designs. With the failure of the old support, how have they ensured the newly installed supports are suitable for the equipment especially with regards to support and robustness against constant vibration?

**Action2:** Please provide an update with regards to the installation of a water curtain within the pumping station as mentioned in your report?

Outstanding actions from CAR\_NRW0036724:

**Action 4:** PB Leiners 18th June 2020: If no evidence can be provided for above, undertake monitoring of the ground below the concrete pad to ascertain the level of contamination.

*Response: PB Leiner will undertake ground monitoring to ascertain the level of contamination. PB Leiner is already seeking technical advice on how to proceed.*

**New Action:** Please keep NRW updated on the progress of this.

**Action 8** PB Leiners 18th June 2020: Carry out a full review of storage and containment on site against the environmental permit and official site diagrams. List the deficiencies identified and report findings by 16th July.

*Response: PB Leiner will undertake a new assessment of the bulk storage installation. PB Leiner has already initiated contact with external companies.*

**New Action:** Please keep NRW updated on the progress of this.

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.

**What are suspended scores?**

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 and Waste action criteria (used in section 1 and 2):****A: Permitted activities**

- A1 Specified by permit

**B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

**C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

**D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

**E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

**F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

**G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

**H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance 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 20 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 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto: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](mailto: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.