Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0033731

This form will report compliance with your permit as determined by an NRW officer					
Site	Wrexham Mill	Permit Ref	AB3492ZQ		
Operator/Permit holder	Lloyds Animal Feeds (Western) Ltd				
Regime	Installations				
Date of assessment	07/06/2018	Time in	10:00	Out	15:30
Assessment type	Audit				
Parts of the permit assessed	All below				
Lead officer's name	Ellis, Rhys				
Accompanied by	McGregor-Andrew, Sian				
Recipient's name/position	Tim Howell/ Group Operations Manager	Date issued	10/08/2018		

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
B3 - Infrastructure - Site drainage engineering (clean and foul)	X	
B4 - Infrastructure - Containment of stored materials	X	
B5 - Infrastructure - Plant and equipment	X	
C1 - General Management - Staff competency/training	X	
C2 - General Management - Management system and operating procedures	X	
D2 - Incident Management - Accidents, emergency and incident planning	X	
F1 - Amenity - Odour	X	
F2 - Amenity - Noise	X	
F4 - Amenity - Pests/birds and scavengers	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	X	

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	**0**	**Total compliance score** (see section 5 for scoring scheme)	0

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 in the meeting today were Regulatory officer Rhys Ellis and Sian McGregor-Andrew of Natural Resources Wales (NRM) and Tim Howells (Group Operations Manager) of Lloyds Animal Feeds.

The objective of today's audit was to assess the recent improvements that the site have made to the Environment Management System (EMS) and associated procedures/documentation since our last audit on site on the 30/11/2017. In summary, the below areas were discussed in detail:

- Organisation;
- Emergency planning;
- Competence and training;
- Operations and maintenance;
- Noise and Vibrations plan;
- Pests plan;
- Odour Management Plan; and
- Future proposals.

Throughout the audit we referenced the operational risk appraisal (OPRA) profile that the operator submitted to Natural Resources Wales as part of the permit application.

The last part of the audit covered containment of material and a general site inspection. A containment audit of the edible oils, fats and rhodimet tanks were completed, which is attached with this CAR Form.

Summary of findings

• There was substantial improvement to the Environment Management System noted and it was encouraging to see that actions and recommendation raised in previous audit had been or was in the process of being actioned by the operator. The EMS appeared to have a better structure and appeared to "flow" better especially in regards to linking procedures and associated documents to the main EMS .

• Actions have been taken by the operator to address staff competency and training. This included a formal training requirement for responsible personnel and improvements have been undertaken with regards to training and record keeping.
• There is a copy of the EMS in the office as well as in the control room. There is an electronic copy saved on the local server. The aim is to have the EMS and associated procedures and plans electronic with them hyperlinked together.
• The documentation that has been forwarded to NRW as a result of the recommendations and actions from the last audit were found to be overall satisfactory and demonstrated commitment in improving the EMS.
• These documents also demonstrates consideration has been given to local stakeholders and surrounding premises.
• It was discussed during the audit that the EMS is a 'live' document and should be tested regularly and kept up to date.
• Improvement to containment on site were noted including the purchase of a new IBC storage container and drain clamp covers.
• The containment audit questionnaire completed during the visit deemed the potential risk to environment from current containment on site high risk partly due to lack of information on certain storage facilities, no planned preventative maintenance on certain 'static' items and potential 'pollution' pathways identified in audit. Actions to be taken by operator to investigate this further are highlighted in the actions noted below and also in the containment audit report form attached. On receipt of this information NRW will be able to further assess compliance with the permit

Summary of the main observations discussions, and recommendations from todays audit are summarised below.

Due to the vast improvement made since the last audit and the on going commitment demonstrated by the site no breaches of permit are noted on this occasion.

(C2) Management system and operating procedures

Since the last audit the operator has now an Environmental Policy in place which is publicly available on the company's website. This demonstrates a commitment to areas such as minimising the environmental impact of the sites operations on employees, visitors and the general public.

It is encouraging to see that there is commitment within your policy:

• to minimise environmental impact,
• to comply with relevant legislation and regulation; and,
• to ensure employees are provided with suitable training and resources to enable them to discharge their duties in line with the Company Environmental Management System.

This is strengthened with the 2018 Objectives, Targets and programmes that the site at Wrexham have now put in place which links strongly to the overall company Environmental Policy.

The operator has now incorporated the following into the EMS:

• Control of management of change on the installation
• Design review of new facilities engineering and other capital
• Capital approval
• Purchasing policy
• Annual reporting of environmental performance, objectives and targets and future planned improvements. The site need to detail how these are tracked and kept up to date.
• Notification to Natural Resources Wales etc.

There is now a more detailed personnel structure alongside their specific responsibilities. (including the Group Operations Manager and Site Manager). The operator's organisational structure should be sufficient in ensuring that permit conditions are met.
The operator has also undertaken improvements to ensure that there are training requirements for each responsible personnel which will be discussed further under the competence and training section below.

(C1) Staff competency/training
Permit Condition 1.1.1 stipulates that the operator shall manage and operate the activities using sufficiently competent persons and resources, and Condition 1.1.2 stipulates that records demonstrating compliance with condition 1.1.1 shall be made.
As previously noted, it is important that the permitted installation is supervised by staff who are suitably trained and fully conversant with the requirement of the Permit. All staff shall be fully conversant with those aspects of the permit conditions which are relevant to their duties and shall be provided with adequate professional technical development and training, and written operating instructions to enable them to carry out their duties.
The operator should maintain a record of the skills and training requirements for all staff whose tasks in relation to the permitted installation may have an impact on the environment and shall keep records of all relevant training. Significant improvements have been undertaken by the operator to manage this.

In summary a responsibility matrix, training needs analysis and training plan have been put in place.
A training profile has now been complied for different roles within the organisational structure. These are in the process of being rolled out to all employees.

ACTION 1.

The operator should also consider a refresher schedule programme as and when required for each training package to all relevant personnel. The operator must ensure these are monitored, logged and dated. It would be beneficial to have mechanism in place to ensure personnel including management are notified of any due refresher training.

The EMS should also be robust to ensure that staff are made aware and trained on any procedures updates. For example, through 'tool box talks etc.

ACTION 2: Operator should ensure that there is a training profile for the operators management personnel.

You did advise that management tiers have started considering their own training, examples include in completing the introduction to environmental management system course and signing up to NEBOSH National examining board.
It was encouraging to see that the operator already experiences the benefits of this. Examples include receiving regular updates on changes in legislation etc.
It is also encouraging to hear that the company have now Kevin Bright who as part of his role will be undertaking internal audits in future, including the EMS.

(D2) Accidents, emergency and incident planning
There is now an accident management plan incorporated into the EMS.
It was demonstrated to officers that the aspect plan/risk assessment has been completed, and the associated procedure for those aspects which had been determined significant has been completed and referenced in the Environmental Management System.
An aspect register has been completed with the significant aspects covered in the SEA risk assessments.
As an example, in the audit we reviewed the aspect register and significant aspects which then linked into the accident management plan and associated procedures such as major spills etc.

It was encouraging to see that the site diary/checklist on site has been updated and is now being used by site operatives.

ACTION 3 : As we recommended during the visit, it would be advisable that the site has a system in place to ensure that any issues /non-conformances noted in daily checks are actioned and closed off. An example suggested was an official 'sign off' each month to formally close off actions.

ACTION 4 : It was discussed during the visit that to ensure that spill kits are fully replenished that there would be a diagram of kits stored within the boxes and these could be checked as part of monthly checks.

ACTION 5 : It is advisable that colour copies are used to help identify the separate surface and foul drainage, or the plan should use dashed/ solid lines to clearly denote which drains are a priority to protect during a spillage or fire. The accident management plan should cover combustion of the contents of tanks/ bunds.

(B5) Plant and equipment
The operator advised that that there are documented operating procedures for operations that may have an adverse impact on the environment. These are now covered in the aspect register, significant aspect register and the RA generals.
Preventative maintenance programme was discussed in detail. It was advised that the operator has a full list of parts and equipment on the DSL system. The operator explained that this means maintenance event are preplanned, and all future maintenance is preprogrammed. Planned maintenance is created for every item separately up and beyond manufacturers recommendation

ACTION 6 : It was suggested by one of the staff on site that the DSL system can be amended so all critical parts and equipment's can be put on a separate list and 'flagged up' on the system, this will help to raise their priority for operational and management staff and in maintenance schedules.

ACTION 7 : Please update NRW on the progress in relation to this by 1st October 2018.

Unfortunately, this system does not cover 'static' items such as tanks, pipework, retaining walls and bunds etc.

ACTION 8 : It was recommended by officers that there should be a section in the EMS regarding preventative maintenance which cross references the DSL system. This section in the EMS should have a list of the 'static' items such as tanks, pipework, bunds and ducts etc and its associated inspection and checklist regime.
The operator is intending to produce procedures to support all the weekly 'static' checks as part of the development of the EMS since coming into regulation

ACTION 9 : Please inform NRW when this is complete.

(F2) Noise. Noise and Vibration management plan
A Noise and Vibration Management Plan has now been compiled. It is encouraging that this plan considers potentially sensitive receptors around your facility and how to investigate and communicate with complainants.
We do have the following comments
• Plan refers to odour not noise and vibration in some sections, please amend
• As part of the complainant screening we would expect the operator to go out and substantiate the complaints. There is no mention in the plan on actively substantiating incidents.
• Noise and vibration complaint form should have a comment box referring to the point above.
• Section 5.1 should state that noise assessment are recorded/documented.

ACTION 10: Site to update the Noise and Vibration Management Plan to reflect the above.Site to action no later than 1st October 2018.

(F1) Odour. Odour management plan
Thank you for forwarding the amended version to NRW. It is encouraging that this plan considers potentially sensitive receptors around your facility and how to investigate and communicate with complainants.
We do have the following comments
• As part of the complainant screening we would expect the operator to go out and substantiate the complaints.

• Odour complaint form should have a comment box referring to the point above.
• Section 5.1 should state that odour assessment are recorded and documented.

ACTION 11: Site to update the Odour Management Plan to reflect the above. Site to action no later than 1st October 2018.

(F4) Pests/birds and scavengers- Pest Management Plan.

There is now an operating procedure (OP12) relating to pest management. We have no further comments in relation to this.

(B4) Containment of stored materials

Significant improvement has been made on site since the last audit. The site have now invested in a fully bunded storage container(s)in which your stocks of IBC containers are stored (See photograph 2 below).
The overall IBC storage facility has also been relocated further away from surface water drains.

With surface water pollution still a risk on site the site have also purchased a drain clamp which can be used in the event of an emergency to seal potential surface water drains and aid with containment on site. (See photograph 1 below)
The site are currently considering purchasing another drain clamp which will be stored near another high risk area (specifically around the adBlu area).

ACTION 12 : Please keep NRW updated on this matter.

A containment audit of the edible oils and fats tanks and bunds and rhodimet tanks were completed which is attached with this CAR form. Below are some actions that came out of this audit.

ACTION 13
- Site to investigate the gauge that was located outside the rhodimet tank bund that had a open valve. There would be no secondary containment if any failure was to occur within the gauge which could result in pathway for pollution and could result in complete loss of containment from the tank (see photograph 3 below). It appeared that the other tank had the gauge located inside the bund (See photograph 4).

- Some of the storage tanks are provided by the product supplier (such as the rhodimet tank). The tank construction details and lifespan where unknown and there was no sign off suitability form provided by supplier. Please verify this with the supplier and request any supporting documentation confirming their suitability.

- Pipework from rhodiment tanks to the process should also be reviewed against the requirements of secondary containment – Please refer to page 30 of How to comply with your permit and questionnaire.

Please review the findings of the above actions and forward actions taken or planned to be taken no later than 1st October 2018.

ACTION 14
a) The operator should use the matrix of substances and identify those liquids held in bulk, outdoors, or in high-risk areas and expand upon that to include storage facility capacity, construction, expected lifespan and manufacturer's maintenance and/or non-destructive testing frequency recommendations. This should include primary tanks, secondary containment and ancillary equipment such as pipework, couplings, hoses, connectors etc.
b) Site must ensure that Bund construction is suitable to store all content stored within them (including IBC's). Testing after bund has been cleaned emptied was suggested together with periodic testing to verify integrity is required. (This should also be identified in the EMS) for further details refer to containment audit report.
c) Please provide the MSDS for the edible oils and fats and rhodimet and review whether or not certification of the tank suitability for their respective content are hold on record. Please also confirm the total volume of rhodimet storage capacity.

Please action no later than 1st October 2018.

ACTION 15
In order to further minimise the risk to the environment the operator advised that they are looking into the possible installation of a tertiary containment i.e installation of 'shut off valves' etc, which would be an useful contingency measure in the event of spills/leaks, catastrophic failures or during handling of IBC's and deliveries of potentially polluting liquid material. This is discussed and covered in more detail in the containment audit from attached.

Please could you provide information on planned improvements no later than 1st October 2018.



Photograph 1.

New drain covers to be used to cover surface water drains in the event of spillages



Photograph 2

New IBC storage container



Photograph 3 Gauge located outside the rhodimet tank bund.



Photograph 4 Gauge located inside the rhodimet tank bund.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0033731**

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

Site	Wrexham Mill	Permit Ref	AB3492ZQ
Operator/Permit holder	Lloyds Animal Feeds (Western) Ltd	Date	07/06/2018

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			
G3	X	See actions in CAR form	01/10/2018
F2	X	See actions in CAR form	01/10/2018
F1	X	See actions in CAR form	01/10/2018
D2	X	See actions in CAR form	01/10/2018
C2	X	See actions in CAR form	01/10/2018
C1	X	See actions in CAR form	01/10/2018
B5	X	See actions in CAR form	01/10/2018
B3	X	See actions in CAR form	01/10/2018
B4	X	See actions in CAR form	01/10/2018

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.