

## Compliance Assessment Report CAR\_NRW0039007

**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:** Site Inspection, Reason: Incident Response (Incident number 2106830).

On 03/09/2021 between 09:00 and 11:00.

Parts of permit assessed: Odour Management

**NRW Lead Officer:** Geraint Harris, accompanied by Lewis Evans.

**Report sent to:** Julie Campbell, Health, Safety and Environment Manager on 30/11/2021.

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

| Part of permitted activity assessed (criteria) | Assessment result | Permit condition       |
|------------------------------------------------|-------------------|------------------------|
| F1 - Amenity - Odour                           | C3 Minor          | Permit condition 3.4.1 |

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

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 1                                        | 4                          |

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 |
|----------|--------------------------------------------------------------|-------------|
| F1       | Update Odour Management Plan to include the recommendations. | 04/01/2022  |

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.

**At this time, we do not intend to take any further action.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

### 4. Details of our assessment

PB Leiner

Permit EPR-DP3030ZC.

NRW received an email from PB Leiners on the 18<sup>th</sup> of August 2021 detailing responses to a number actions from Previous CAR Forms.

### **Flooding**

Concerns were raised by PB Liner regarding the capacity of the culvert to the North West of the production building and how it floods during high rainfall. This has led to localised flooding in the production building. PB Leiners were flooded by the River Taff in the early hours of Sunday 16th February 2020. No loss of any product or chemicals to the environment occurred. The plant was shut down safely. Following this flooding the subsequent action was devised:

CAR\_NRW0036429

#### **ACTION:**

In line with permit condition 1.1.1 of the permit the accident management plan should be reviewed to include the potential of flooding and what measures are proposed to reduce the impact on the site's operations.

#### **Response:**

A 'Flood Prevention Systems Closure Document' was provided which highlighted the actions PB Leiners have undertaken with regards to Flooding. These actions were undertaken to prevent/reduce the water ingress to key areas of the process buildings and offices, to eliminate/reduce the impact of potential flooding. As a result, demountable aluminium flood barriers were installed to all the external doors at various locations across the site, A6, A13, A18 (New & Millennium Farm buildings), A21 (Offices & Goods inward area) and the blending plant. A reinforced concrete wall, with a demountable flood barrier was also installed to A18 switch room. Photographic evidence was provided showing these improvements. This action is now considered closed.

### **Review of Storage and Containment on Site**

Following an incident on the 28<sup>th</sup> May 2020, PB Leiners were asked to review the storage and containment of onsite chemicals on their site against the CIRIA guidance.

CAR\_NRW0036724 and CAR\_NRW0036892

***Action 8 PB Leiners 18<sup>th</sup> 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 16<sup>th</sup> July.***

Consequently, PB Leiner had a CIRIA assessment completed and closed out the priority-1 actions from the subsequent report. These actions included:

- Reconstruction of the hardstanding within the A21 HCL Delivery area
- The construction of a sloped bunded area for A21 Caustic delivery area
- The installation of additional tension bars for the Lime silo.

Photographic evidence was provided highlighting the changes made at the sight. NRW welcomes these improvements and acknowledges the effort the operator has gone to in implementing the priority recommendations. This action is considered closed out.

### **Additional pieces of work**

#### **Chiller Unit and Hardstanding:**

PB Leiner have also purchased and installed an ICS chiller unit with all the associated electrical and water supplies to enable production of chilled process water, for use in the lime mixing system. This was installed on a newly installed bunded concrete hard standing. The unit is larger than the previous equipment and which should reduce the water temperature with the potential benefit of helping to reduce odorous conditions.

#### **Transformer Number 2 replacement:**

Transformer No 2 was replaced with a 1MVA tier 2 rated transformer. The electrical infrastructure was upgraded to facilitate the potential extra electrical capacity that may be required with the 7k project upgrades. The new transformer complies with EU requirements for transformers No. 548/2014 from the commission for implementing the Ecodesign Guideline 2009/125/EG.

#### **Odour**

An odour complaint against the site was received on the 10<sup>th</sup> August 2021 from a member of the public. Upon following this up with PB Leiner it was deemed that the source of the odour was the outside storage of two IBC's containing malodorous Balance Tank residues. The usual practice is for all contents of the balance tank to be extracted by tanker in the early hours of a Sunday and on this occasion, it was Sunday the 8<sup>th</sup> August. However, in this instance the volume of residues exceeded the tanks capacity and so the additional waste was pumped into two IBC's. The two IBC's from the balance clean that PB Leiner believed were causing the odour were removed at 07.30 on the 11<sup>th</sup> August by ecotechnology. Following this, no odour was reported for that week. Permit condition 3.4.1 requires PB Leiner to employ appropriate measures to prevent or where that is not practicable to minimise odour. In this instance no measures (such as inside storage) were undertaken to try to prevent or minimise odour until a complaint was made by a member of public. Furthermore, the current odour monitoring practices employed by PB Leiner failed to substantiate an odour beyond the boundary suggesting that a more robust method should be utilised. Consequently, a **CCS category 3 score** has been attributed to this incident for failure to employ appropriate measures to prevent and or reduce the build-up of odour beyond the permitted boundary.

Further odour complaints were made on the 28<sup>th</sup> of August, 3<sup>rd</sup> September and the 23<sup>rd</sup> September. However, none of these odour incidents were substantiated by NRW. However, following the spate of complaints a site visit was undertaken on the 3<sup>rd</sup> September 2021 involving NRW officers Geraint Harris and Lewis Evans. The visit was undertaken to inspect all the odour generating areas of the site. During the visit no odour was detected beyond the site boundary and only a slight odour was detected when stood in the immediate vicinity of the drain adjacent to the scrubber unit by the Balance Tank. However, this odour quickly dissipated when taking a few steps away from the drain. The remaining outdoor areas around the New and Old Farm buildings were checked with no discernible odour detected. Upon entering the New Farm Building (A18) there was a very significant and intense malodour throughout the building. The New Farm houses the Liming pits where Ossein is treated with Lime for an extended period. During this time aeration is periodically applied to the pits as part of treatment process. This has the effect of releasing odorous molecules into the air. However, the A18 building was sealed at the time and none of this odour was observed externally. Given the intensity of the odours in A18 if there was ever to be a containment breach of the building then given the close proximity to sensitive receptors this could become a significant problem.

Following the tour of the site, the operator and myself reviewed the current odour management plan to ensure that it was still relevant and to identify areas where it could be improved. Following this meeting an

email was sent from NRW on the 10<sup>th</sup> of September asking for PB Leiner to review their Odour Management Plan (OMP) against the guidance and the activities carried out on site. An updated version of the odour management plan was received on the 12<sup>th</sup> November 2021 which encompassed the majority of points made in the 10<sup>th</sup> September email.

Within PB's OMP it stated "The company has appointed managers with the responsibility for implementing the OMP. Work instructions and procedures exist for odour critical plant and processes and have been issued or made available to personnel responsible for undertaking these tasks." PB Leiner were asked to confirm if these work instructions and procedures were still in effect and up to date? PB Leiner were also asked to confirm if the "daily sniff testing monitoring programme" was still in effect? PB confirm that this is up to date and being followed and that they had not long made some changes to the process due to the addition a new engineer who is managing the farm. They also confirmed that the sniff testing is still being done daily and recorded.

**Recommendations:**

- The odours within the New Farm building were significant, and employees are told to where a gas monitor when working in the building. Although no odour was detected outside of this building if a breach was to occur, I would expect this to have a significant impact on the surrounding receptors. I would therefore expect to see the following entered in Table 2 'Inventory of known odour sources': 'High level odour at source when control measures not implemented'
- Since the storage of IBC containing Balance Tank residues caused an odour beyond the site boundary, I would expect to see something in your management system that states that such a process should not be undertaken in the future.
- Please update the NRW incident hotline to 03000 65 3000

PB Leiner are to be reminded that they must employ the appropriate measures necessary to prevent the odour pollution or minimise it when prevention is not practicable. The measures that are appropriate will depend on your industry sector and your site-specific circumstances and will take costs and benefits into account. However, even if the operator is using all appropriate measures, if we (NRW) consider the residual odour is at such a level that it constitutes a nuisance it will be necessary for the operator to take further preventative measures to reduce odour pollution.

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.