

Compliance Assessment Report

Report ID:
CAR_NRW0031762

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

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Site	Sims Group U K Ltd (fridge Plant)	Permit Ref	KP3195FW		
Operator/Permit holder	Sims Group U K Ltd				
Regime	Installations				
Date of assessment	22/02/2017	Time in	10:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Monitoring				
Lead officer's name	Willey, David				
Accompanied by					
Recipient's name/position	Georgina Sidney/ SHEC Systems Controller and Environment Advisor	Date issued	15/06/2017		

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
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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
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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

Sims Fridge plant – EPR/KP3195FW

Site visit on 22nd February 2017

1. Review of previous actions
 2. Monitoring procedures
 3. Exceedances and data interpretation
 4. Temporary storage of fridges
 5. Permit variation
 6. Foam waste codes
 7. Transfrontier Shipment of Waste
 8. Returns
 9. Site visit – monitoring locations
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1. Review of previous actions

ACTION: Sims Group UK Limited to provide NRW with the calculation for deriving the values submitted in the reporting forms as well as describing the methodology for which CFC limit value is used for assessing the emissions to air.

Completed. The monitoring point is located in the control room. The CFC limit is based on a flow rate of 50m³/hr and calculated in line with the methodology set out in the sites Sampling protocol.

ACTION: Sims to provide an explanation for these exceedances and what has been done to prevent these exceedances from occurring again.

Completed. Sims investigates exceedances through maintenance checks. The site has Safety Working Procedures (SWP) that are followed to undertake checks.

ACTION: Please could you continue to submit the performance parameters quarterly?

Completed.

ACTION: Sims to provide justification for the missing monitoring requirements and to submit the returns for January. Completed.

Completed. Sims completed the spreadsheet sent that highlighted the missing data. Most of the missing data was associated with when one of the plants was not operational.

ACTION: Please could you continue to submit the requirements S1.3 and S1.4 with the Air 1 returns?

Completed.

2. Monitoring procedures

The permit is required to monitor CFCs from fridge plants 1 and 2. The limits set are as grams per hour and are derived by the number of units processed. For example, if less than 100 units are being processed the associated limit would be 5g per hour. The site typically has this limit applied but the monitoring returns did not state this. The site now indicates the relevant limit to be applied.

Table S3.1 of the permit also requires continuous monitoring that has not been supplied. Note 1 of the table requires conformance testing monthly, or every 50,000 units destroyed. The requirements of the permit are not clear. The site submits monthly monitoring for plant 1 and 2 and these values are used to derive the concentration based on a flow rate of 50m³/hr.

ACTION: Sims to continue submitting monitoring returns in line with Note 1, Table S3.1 of Schedule 3 – Emissions and monitoring.

ACTION: Please could Sims provide details of the actual flow rate is measured / controlled. The process is 'balanced' with nitrogen with a flow rate of 50m³/hr that appears very low.

The associated limit of 5g per hour has been breached several times in 2016 and 2017 with no breaches of the permit given by NRW. Breaches of the permit limit should be highlighted by the company and submitted to NRW using Schedule 5 of the permit informing NRW of the breach.

ACTION: Sims to ensure breaches of the limits in Table S3.1 are submitted to NRW using the Notification form in Schedule 5 of the permit.

During the meeting Sims confirmed that continuous monitoring is undertaken, but this information is not submitted to NRW, and is used on site as a performance indicator.

ACTION: Please could Sims provide the continuous monitoring data for 2016 to enable trending to establish typical concentrations and emission rates.

Sims also provide performance data as required by Table S4.2. This data is received quarterly.

3. Exceedances and data interpretation

Sims provided justification and details of the missing data for 2015 and 2016 monitoring undertaken. Trending will be undertaken for the emission of CFCs with a more thorough audit

planned by NRW for 2017.

Plants 1 and 2 were not always operational at times of testing by the independent laboratory due to breakdowns or maintenance periods. An issue was identified with plant 2 cryogenic system in late Q1 which resulted in a management decision to shut the plant for 3 months whilst investigation and major capital investment was carried out to replace critical components.

Operations were then restarted at a reduced level while further work continued over the following 3 months. Emission results were slightly elevated and investigations were carried out to investigate any potential reasons.

Investigations were also carried out to determine the cause of the slight elevations of foam content within the plastic spot samples. No operational issues were identified however general equipment maintenance was carried out as a precautionary measure.

ACTION: Sims to make available the maintenance checks undertaken and frequency of checks as well as where these fit in the sites EMS.

ACTION: Sims to provide a copy of the critical components list that is stored on site to prevent unnecessary delays in the event of a breakdown.

4. Temporary storage of fridges

Sims discussed the storage of fridges during the dismantling of the fragmentiser plant to enable space for the storage area. Two locations were identified and agreed with NRW on land owned by ABP.

An Environment, Fugitive Emissions and Accidents Risk Assessment and Management Plan was submitted for the temporary storage locations. A letter was sent on the 29th March confirming the storage locations to be utilised as well as the condition to be followed for this interim period.

ACTION: Inconsistencies have been identified between your waste returns and the hazardous waste returns received. For Q1 2017 we have the consignment note with over 8000 tonnes whilst the waste returns do not reflect this amount. Please could you clarify?

5. Permit variation

As part of the options discussed for the storage of fridges the dismantling and removal of the fragmentiser is required. Once this has been removed the permit EPR/CP3795FY could be consolidated and the End of Life Vehicle activity surrendered. The footprint will remain the same and will be incorporated into the permit EPR/KP3195FW.

6. Foam waste codes

The site currently uses the EWC 19 12 04 for polyurethane foam, until there are any permit variations Table 2.4 should be used to identify waste codes.

7. Transfrontier Shipment of Waste

NRW discussed the requirements of the transfrontier shipment of waste and the work being undertaken by NRW where audits at all sites where waste is sent abroad are being undertaken.

ACTION: Sims to complete the forms provided by NRW regarding the transfrontier shipment of waste.

8. Returns

NRW have received the following returns:

2015

January – December monitoring returns

2016

January – December monitoring returns

Performance reports for Q1, Q2, Q3 and Q4.

2015 Environmental Performance Report

2017

January, February, March and April monitoring

Performance for Q1

2016 Environmental Performance Report

As mentioned in the Car Form breaches have occurred several times for the CFC limits in Table S3.2 of the permit, summarised below:

2015 – no breaches

2016 – Plant 1 – April, May, July, August, October, November

Plant 2 – June, July, September, October, December

2017 – Plant 1 - February

ACTION: Any limits specified in Table S3.1 should be reported to NRW using the notification form in Schedule 5 of the permit.

9. Site visit – monitoring locations

During the visit the monitoring locations referred to in the Sampling Protocol were identified and are shown below.

Plant 1 emission to air	Composite oil sample	Plant 1 polyurethane foam sample
		
Plant 1 plastics sample	Plant 1 steel sample	Plant 2 steel sample
		
Plant 2 plastics sample	Plant 2 polyurethane foam sample	Plant 2 emission to air
		

The site has a Sampling Protocol that reflects the monitoring undertaken at the above monitoring locations.

Emission concentrations are taken from extraction line in the 'Emission rates' photo with the sample taken off site by a MCERTS qualified person for analysis. The sample can be checked with the reading on the machine. The data is not cross referenced with the reading on the SCADA

system due to the SCADA system providing a time weighted average reading.

Monitoring is undertaken by Minton, Treharne and Davies Limited (MTD) who are a UKAS accredited organisation number 0077.

ACTION: Please could Sims confirm whether there is an additional monitoring location for plant 2 or are both samples taken from the control room?

Emission rates	SCADA system
	
SCADA system	SCADA system
	

The site is installing dust extraction at plant 1 and 2 that will lead to improved final product and reduction in fugitive emissions. Sims discussed that they are in the process of installing improved walkways, railings and installed improved crossing areas.

END

EPR Compliance Assessment Report

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Operator/Permit holder	Sims Group U K Ltd	Date	22/02/2017

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.

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.