

Compliance Assessment Report

Report ID:
CAR_NRW0032688

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

Site	Sims Group U K Ltd (fridge Plant)	Permit Ref	KP3195FW		
Operator/Permit holder	Sims Group U K Ltd				
Regime	Installations				
Date of assessment	09/01/2018	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Monitoring returns				
Lead officer's name	Willey, David				
Accompanied by					
Recipient's name/position	Georgina Sidney/ SHEC Systems Controller and Environment Advisor	Date issued	09/01/2018		

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
E1 - Emissions - Air	C3	3.3.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	4.3.1

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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

Review of previous actions

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

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

Actions carried over:

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.

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.

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

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.

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?

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

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

Increased concentrations in CFC foam concentrations

SIMs carried out investigations 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. A new extraction system has been installed on both plants

2017 returns

NRW have received the following monitoring returns.

The permit has associated emission limits associated with the number of units processed. The returns submitted were all based on the 5g per hour limits associated with the processing of less than 100 units per hour. The 'Guidance on the Recovery and Disposal of Controlled Substances Contained in Refrigerators and Freezers' states an emission limit value of 150mg/m³ in the air extraction system. Monthly monitoring received for May to December with the following comments:

May

Plant 1

Exceedance of the CFC 5g/hr emission rate limit with a monitored emission rate of 26g/hr.

This corresponds to an exceedance of the CFC 150mg/m³ emission concentration with a monitored concentration of 520mg/m³.

Calculated to contribute an additional 0.444kg/day CFC that equates to approximately 4839.6 kg CO₂ per day.

Increased concentration of CFC in Foam from 48mg/kg in April to 83mg/kg in May.

Plant 2

Increased concentration of CFC in Foam from 79mg/kg in April to 144mg/kg in May.

June

Plant 1

Exceedance of the CFC 5g/hr emission rate limit with a monitored emission rate of 12g/hr.

Exceedance of the CFC 150mg/m³ emission concentration with a monitored concentration of 252mg/m³.

Calculated to contribute an additional 0.1224kg/day CFC that equates to approximately 1334.16 kg CO₂ per day.

July

Plant 1

Exceedance of the CFC 5g/hr emission rate limit with a monitored emission rate of 225g/hr.

Exceedance of the CFC 150mg/m³ emission concentration with a monitored concentration of 4510 mg/m³.

Calculated to contribute an additional 5.232kg/day CFC that equates to approximately 57028.8 kg CO₂ per day.

Increased concentration of CFC in Plastic from <1 %w/w in June to 1.8%w/w in July.

Plant 2

Exceedance of the CFC 5g/hr emission rate limit with a monitored emission rate of 16g/hr.

Exceedance of the CFC 150mg/m³ emission concentration with a monitored concentration of 323 mg/m³.

Calculated to contribute an additional 0.2076kg/day CFC that equates to approximately 2262.84 kg CO₂ per day.

August

Plant 1

Exceedance of the CFC 5g/hr emission rate limit with a monitored emission rate of 33g/hr.

Exceedance of the CFC 150mg/m³ emission concentration with a monitored concentration of 660mg/m³.

Calculated to contribute an additional 0.612kg/day CFC that equates to approximately 6670.8kg CO₂ per day.

Increased concentration of CFC in Foam from 34mg/kg in July to 115mg/kg in August.

Plant 2

Increased concentration of CFC in Foam from 58mg/kg in July to 140mg/kg in August.

September

Plant 1

Exceedance of the CFC 5g/hr emission rate limit with a monitored emission rate of 16g/hr.

Exceedance of the CFC 150mg/m³ emission concentration with a monitored concentration of 335mg/m³.

Calculated to contribute an additional 0.222kg/day CFC that equates to approximately 2419.8 CO₂ per day.

October

Plant 1

Not operational

November

Plant 1

Not operational

Plant 2

Increased concentration of CFC in Foam from 40mg/kg in October to 291mg/kg in November.

Multiple breaches of the emission rate limit of 5g/hr associated with the processing of <100 units per hour. **Considered a category 3 breach of permit condition 3.3.1.**

ACTION: Sims Group UK Limited to provide details of how the site intends to bring the emissions from plants 1 back into compliance.

Considered to be a category three breach of permit condition 4.3.1 for failure to report permit breaches. The potential for environmental harm is high due to the nature of the pollutants released, the site should be reporting these exceedances using the Schedule 5 Notification form.

Performance parameters

Performance parameters have been received for Q2 and Q3.

ACTION: June, July, August and September reflect the exact same tonnages for each month for HC blowing agents, total weight of CFC R12 and actual recovery of blowing agent. Please confirm that this data is correct?

Fridge storage

The agreed deadline for the temporary storage of fridges expires on the 28th February 2018.

European Pollutant Release and Transfer Register (E-PRTR)

The submitted CFC value for 2016 was 153kg that has a large global warming potential associated. This value needs to reflect that of the performance returns where high emission rates / concentrations were reported.

ACTION: Sims Group UK Limited to provide the calculations used for reporting to the E-PRTR.

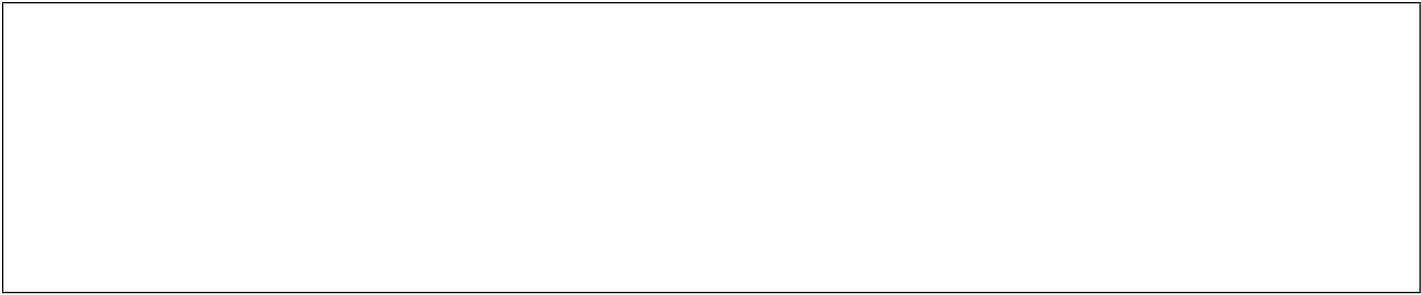
Waste returns

Since the permit was consolidated in 2015 standard condition were incorporated into the permit including condition 4.2.5 that requires the submission of quarterly waste returns using the waste returns templates found on the NRW website:

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/new-wales-operator-waste-return-and-deadlines-for-returns/?lang=en>

The reporting will reflect the incoming and outgoing wastes from the site for both hazardous and non-hazardous wastes. Hazardous waste consignments notes will continue to be required.

END



EPR Compliance Assessment Report

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Operator/Permit holder	Sims Group U K Ltd	Date	09/01/2018

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			
G4	C3	Site to submit Notification Form to reflect permit breach.	30/03/2018
E1	C3	Sims Group UK Limited to provide details of how the site intends to bring the emissions from plants 1 back into compliance.	30/03/2018

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.