

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

Site	Energys Newport EPR/NP3030BJ		Permit Ref	NP3030BJ	
Operator/ Permit holder	Energys Ltd				
Date	18/11/2015	Time in	11:30	Out	14:00
What parts of the permit were assessed	Visit following fire on 13th Nov 2015				
Assessment	Site Inspection	EPR Activity:	Installation: X	Waste Op:	Water Discharge:
Recipient's name/position	Paula Terrett, Environment Officer				
Officer's name	Rebecca Green		Date issued	26/11/2015	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	A	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	A	
e) Emissions	1. Air	A	
	2. Land & Groundwater	A	
	3. Surface water	A	
	4. Sewer	A	
	5. Waste	A	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	A	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
 A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, 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 Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

At 00:12 on 14th November 2015 the EnerSys fire alarm was activated due to a fire in the stores department. The Fire and Rescue Service (FRS) arrived on site at 00:22. EnerSys notified Natural Resources Wales (NRW) of the incident at 07:55 on 14th November 2015 and the Schedule 1 notification form was received at 09:34 on 16th November 2015.

The whole incident was captured from a distance on CCTV cameras which showed copious smoke, followed by what appeared to be very hot flames then more smoke as the sprinkler system above the seat of the fire extinguished it.

There was considerable water damage to offices at the front of the building, caused mainly by the sprinkler system. EnerSys estimated that the sprinklers used ~20,000L of water. The FRS estimated that they only used ~200L of water due to the efficiency of the on-site sprinkler system. The interceptor was isolated to protect the adjacent reën and spill kits and booms were deployed to prevent fire water from running into the surface water drains.

The seat of the fire was the right hand side of the racking which stored the resins and hardeners. The fire was probably caused by a malfunction in the heaters underneath the racking which keep the resins at a constant temperature to maintain them at a useable viscosity. The heaters were checked as normal on the day of the fire. The temperature in the left hand bay was low and so, following normal procedure, new heaters were ordered. Unfortunately supporting documentation was destroyed in the fire.

Fire damage was limited to the racking and its surroundings. The majority of damage was caused by fire water and the burnt resin, which was carried through parts of the stores and into the offices, leaving a tar-like residue.

Rebecca Green visited the site on November 18th 2015 to view the damage and discuss the incident and any actions arising with EnerSys management. Present at the meeting for all or some of the time were, Huw Leonard, Plant Manager; Andrew Bentley, Senior Engineering Manager; Gavin Thomas, EH&S Manager and Paula Terrett, Environmental Officer.

The exact circumstances of the fire were explained.

EnerSys engaged competent companies to clean and remove the contaminated firewater as soon as they could. The firewater was taken straight to a permitted hazardous waste treatment operator. This company also removed between 12 and 13,000L of water from the top of the interceptors to ensure that the nearby reën would not be contaminated.

There was heavy rain over the weekend of the clean-up and videos were shown of the reën actually flowing back into the interceptor. Consequently there would have been very little danger of contamination reaching the reën. Analysis results confirmed that neither the reën nor the interceptor had been contaminated.

Any other waste that could not be pumped out by tanker was transferred to either IBCs or steel drums for appropriate disposal, once its hazardous properties have been assessed. All movements have been recorded on either waste transfer notes or consignment notes.

The damaged equipment was removed by another permitted contractor for sorting and appropriate disposal.

EnerSys followed their usual maintenance procedures on the day of the fire and even though one of the heaters did not seem to be working properly this does not seem to have been on the side of the racking where the fire started and was not a particularly unusual event.

There was very little risk to the environment or human health as all emissions seem to have been contained within the buildings.

Contaminated material has been collected by, and sent for treatment to, permitted waste operators and these movements have been recorded.

NRW were informed of the incident and developments within the time frames specified in the permit. The only shortcoming is that the Schedule 1 Notification Part B does not contain any proposed actions to prevent a recurrence. A viable alternative to electric heating was discussed during the meeting on 18th November 2015, but this will require some capital expenditure.

Action: EnerSys to formally report their proposed measures to prevent a recurrence of this or a similar incident to NRW by 18th December 2015.

After due consideration NRW do not intend to issue any non-compliances for this incident at the moment. However, this does not preclude us from taking action should further information come to light or if we feel that our advice has not been followed.

END.

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Site	Enersys Newport EPR/NP3030BJ	Permit	NP3030BJ
Operator/ Permit	Enersys Ltd	Date	18/11/2015

Section 3- Enforcement Response

Only one of the boxes below should be ticked

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.

