

Compliance Assessment Report CAR_NRW0039095

Permit being assessed: BB3097ZS.

For: PB Gelatins, held by Veolia Energy & Utility Services UK PLC

At: P B Gelatins, Unit A6, Severn Road, Treforest Industrial Estate, Pontypridd, Rhondda Cynon Taf, CF37 5SQ.

Type of assessment carried out: Site Inspection, Reason: Other.

On 08/10/2021 between 09:00 and 11:00.

Parts of permit assessed: Reporting

NRW Lead Officer: Geraint Harris.

Report sent to: Jonathan Barwick, Contracts Manager on 17/12/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
E2 - Emissions - Land and groundwater	Ongoing (O)	3.1.1

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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
G4	notify NRW of operational changes and improve management system to remind operator to of their obligation to notify.	Already completed
E2	Undertake proposed remediation work	31/01/2022

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

On Friday the 8th October 2021 I visited the Boiler house facility at the rear of PB Leiners, operated by Veolia. The visit was arranged as a follow up following a caustic spill on the 11th June 2020, detailed in CAR_NRW0036881.

As a result of the spill the following actions were agreed:

- The progression of 2-3No. shallow boreholes, to approximately 3-3.5mbgl into the spill area (BH02). These boreholes will be terminated within the silty sands and not progressed further into the underlying gravels in order to prevent the creation of a direct pathway for contaminants to reach deeper strata. The boreholes would aim to intersect the shallow perched water body encountered at BH02. Boreholes for the purpose of environmental monitoring and potential localised groundwater pumping using a 'sump-pump' and suitable flexible hosing. Should groundwater be encountered within the new proposed monitoring locations, 2 days of initial groundwater pumping would be proposed to remove, as far as reasonably practicable, any NaOH which may be contained within the perched water, pooled atop/within the silty-sand strata and made ground.
- Following the implementation of the initial pump and treatment works, groundwater sampling would be undertaken from both the existing BH03 and the new proposed locations in order to verify the effectiveness of the works and monitoring the 'tailing' and 'rebound' of groundwater quality. It would be proposed to initially undertake 3 consecutive rounds of groundwater monitoring at monthly intervals. However, sampling frequency would be agreed with NRW. The addition of these boreholes and monitoring coupled with the engineering work proposed by Vale Consultancy were accepted by NRW.
- Excavation to a maximum depth of 600mm (subject to confirmation of the depth of the existing pad), and capping the area with compacted material, and reinstating the existing levels using lean mix concrete, is a suitable solution in the short term. It should be considered that this solution be included and reviewed at suitable intervals as part of the existing buildings maintenance schedule.

Upon visiting the site on the 8th of October none of the above works had commenced. A number of setbacks with contractors and site infrastructure had caused a delay to the above work. However, Veolia stated by email on the 30th September 2021, that work would commence in week 46. Currently it is week 50.

Action 1: Please provide an update with regards to the above work.

During the site visit we discussed that since a significant amount of time had passed since the spill the use of additional groundwater monitoring will be required to identify if the contamination had migrated to BH3.

Action 2: Please can you provide an update on this.

Upon discussing the incident and the management procedures in place it was evident that a significant amount of changes had occurred. The site no longer relies upon a supply pipeline from PB Leiners for its caustic and instead receives its caustic from a supply company, where caustic is pumped via an IBC. The site has adopted an audit program where the site manager is responsible for various audits across the site. Failure to complete these audits results in automatic notification to senior management. A valve assets and risk register was generated as a result of the incident and has now been implemented across the company. A weekly Safety and Environment Checklist is now in place and was observed during the visit. The management of change procedure was observed during the meeting. It is not clear if this management of change procedure incorporates changes to areas related to the environmental permit and associated infrastructure.

Action3: Please explain if the management of change procedure incorporates changes to areas related to the environmental permit and associated infrastructure.

During the walk around It was observed that Boiler Two was offline and undergoing repair. Furthermore, a portable boiler was located adjacent to the oil tanks within an area inside the PB Leiner permitted site. Veolia were reminded post visit, via email, that they have a requirement under permit condition 4.3.5 to report any changes at site. Such notification is required so that NRW can assess if adequate environmental protection is in place and that there are the necessary permissions in place. Veolia have since acknowledged that notification to NRW did not take place and have worked to address this with the persons responsible, to ensure that any future changes that may be subject to condition 4.3.5 are reported accordingly. The remaining actions regarding the use of the temporary boiler are specified within an email sent by NRW on the 17th December 2021. The results of these actions will be detailed in a future CAR Form.

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 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

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.