

Compliance Assessment Report

Report ID:
CAR_NRW0020589

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

Site	Rassau Battery Manufacturing EPR/BV5386IX	Permit Ref	BV5386IX		
Operator/Permit holder	Yuasa Battery (UK) Ltd				
Regime	Installations				
Date of assessment	19/05/2016	Time in	09:30	Out	11:45
Assessment type	Audit				
Parts of the permit assessed	As indicated in inspection form				
Lead officer's name	Griffiths, David				
Accompanied by					
Recipient's name/position	Mr Selwyn Thomas/ HSE Manager	Date issued	20/05/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
A1 - Specified by permit	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
D1 - Incident Management - Site security	A	
D2 - Incident Management - accidents, emergency and incident planning	A	
F1 - Amenity - Odour	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X**= Action only

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

COMAH

Further to recent correspondence NRW have summarised below what you can find in the COMAH Guidance L111 I emailed you to give to sites previously.

1. You should list your inventory of substances (waste, raw materials, products, mixtures, intermediates, by-products) and compare to the tables in Schedule 1 – if you have a named substance use that threshold (Part 2) ahead of the classes of substances (Part 1). This inventory should be based on what you reasonably could expect to hold on site – so if the order books suddenly fill up, it's plant capacity ahead of what they store in the lean times, it includes substances likely to be present, even if not there all the time.
2. Use CLP and self-classified substance classification.
3. If at or above one of the thresholds in Columns 2 or 3 of Parts 1 and 2, LT or UT applies.
4. Only one substance is required to trigger COMAH, but all above threshold substances should be included.
5. If individual substances are not present above thresholds, the aggregation rule must be applied, e.g. 4t H₂ (LT threshold 5t) and 1500t P5c flammable liquids (LT threshold 5000) = $4/5 + 1500/5000 = 0.8 + 0.3 = 1.1$, COMAH applies at LT because calculation is greater than 1.
6. Then there is the 2% rule: individual substances stored at or less than 2% of the qualifying threshold can be discounted from counting towards COMAH qualifying, if their location is such that they cannot initiate a major accident.
 - a. E.g LPG tank of 49.5t (threshold 50t) and a separate (stored significantly far enough away not to affect the larger tank) tank of 1t LPG. The 1t is 2% of threshold so can't be discounted yet. Total storage is 50.1t above threshold, but because smaller tank cannot initiate a major accident it can be discounted under the 2% rule, leaving 49.5t – sub COMAH.
 - b. Have two 1t LPG tanks next to each other, although still far enough away from the 49.5t LPG tank, totalling 51.5t, the two small tanks are 2t, above 2%, so cannot be discounted = COMAH applies.
7. Once a site is in scope of COMAH for a particular substance, even substances below 2% should be included in hazard and major accident scenario assessment and consequence assessment, even though they may have been discounted from the total on site calculation.

We discussed the circumstances regarding the cause of this elevated breach of lead oxide and are satisfied that all reasonable steps and actions have been taken on this occasion. No further action.

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Sulphuric Acid Spill 11th January 2016 – Review of actions

1. Incident Management Reporting Procedures – This procedure has now been reviewed ENSWM37 on the 26th January 2016 – Action Completed.
2. Leak Detection System Installation – New system installed and telemetry links to site management still outstanding – Review October 2016.
3. Emergency Plan Review – This plan is currently under review, refresher training already undertaken to the Emergency Response Team. Further review to be undertaken and training – Review October 2016.
4. Containment Area (Bund) – This has now been repaired and planning to install secondary containment piping and extra splash guards and spill curtains have in the process of being installed – Review October 2016.
5. Shut down valve (Surface Waters) – A new pen stock valve has been ordered and is in the process of being installed – Review October 2016.
6. Incident Management Review – This will be undertaken upon completion of Actions 1-5 above – Review October 2016.

Site Inspection

General site inspection throughout the site – no issues identified at time of inspection

Water Abstraction

Further to our discussion, Water Abstraction returns from March/April 2016, Natural Resources Wales (NRW) will be responsible for the returns process for water abstractors in Wales. This work was previously administered by the Environment Agency.

Unfortunately we are experiencing some delays with the roll out of the new systems, therefore the March/April 2016 return notifications to abstractors in Wales will be delayed until mid-end May 2016.

In order to make the returns process as efficient and cost effective as possible for both Licence Holders and NRW, we would like to send and receive all returns via email. There will still be the option of paper returns for

those Licence Holders who are not able to submit via email.

We will be contacting Licence Holders over the next few weeks to provide further information on the new process and to invite registration for email submission. No further action is required from Licence Holders until they receive this information from us.

EPR Compliance Assessment Report

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Operator/Permit holder	Yuasa Battery (UK) Ltd	Date	19/05/2016

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			

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 reports 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 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.