

## Compliance Assessment Report CAR\_NRW0039499

**Permit being assessed:** BP1772IZ.

For: Poeton Cardiff, held by Poeton (Cardiff) Limited

At: Poeton (Cardiff) Ltd, 283 Penarth Road, Cardiff, Cardiff, CF11 8UL.

**Type of assessment carried out:** Audit, Reason: Routine.

On 03/03/2022.

Parts of permit assessed: Effluent Treatment Plant

**NRW Lead Officer:** Geraint Harris.

**Report sent to:** Jason Hamling, Health, Safety and Environment Manager on 03/03/2022.

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

| Part of permitted activity assessed (criteria)                            | Assessment result | Permit condition |
|---------------------------------------------------------------------------|-------------------|------------------|
| B1 - Infrastructure - Engineering for prevention and control of emissions | Action only (X)   |                  |
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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 |
|----------|----------------------------------------------------------------------------------------------------|-------------|
| B1       | Please provide the results of the visual inspection planned to be completed by the end of Q2 2022. | 01/07/2022  |
| B1       | Provide pictures of newly installed chrome reduction tank.                                         | 01/07/2022  |

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

### Poeton Ltd

#### EPR/BP1772IZ

An audit of the treatment plant was undertaken on the 28th September 2021 (CAR\_NRW0038850). Following this, Poeton were prescribed several actions in order to complete the audit and to address areas that needed further work and attention. The most significant concern of the audit was the condition of the subsurface infrastructure associated with the treatment plant. Poeton were asked to 'Undertake a full investigation into the condition of the sites subsurface infrastructure including the sumps and influent channels, highlighting any areas of erosion, cracks and unsuitable containment materials'. Since then, through responses to car forms CAR\_NRW0039076, CAR\_NRW0039247, Poeton have provided evidence that a quarterly preventive maintenance check has been conducted. This quarterly test is a visual check where pits are not emptied. Poeton have also provided evidence that a successful leak test has been conducted on all the pits associated with the treatment plant. Furthermore, Poeton will also conduct a visual inspection for any signs of significant deterioration when effluent plant waste disposal is carried out next (Cadmium pit & Sludge Removal). Doing it during this period means the tanks will be empty during the inspection. Poeton plan on undertaking this inspection by the end of Q2 2022. Details of the above tests were provided in the following documents PCD54 (Effluent Monitoring) & EPPI 01 (Preventative Maintenance).

#### **Action 1: Please provide the results of the visual inspection planned to be completed by the end of Q2 2022.**

With regards to the use of suitable containment material, Poeton was asked whether each of the pits were suitably impermeable to the effluents varying pH levels. Poeton responded stating that "the pits are constructed of acid resistant concrete topped with a chemical resistant epoxy render. The cadmium pit is lined with a chemical resistant coating". However, it was the Chrome Reduction Pit that caused the most concern since it appeared to be the most corroded and consisted of just bricks and mortar. Therefore, Poeton have responded to the condition of this pit by stating "It is our understanding that the chrome reduction sump is constructed the same as the other pits with chemical resistant bricks and mortar. We do however realise your concerns with this area and have had a company come in to see if the pit can be lined with a new double walled chemical resistant plastic tank (Quote attached). We will send pictures as soon as the liner is installed". NRW welcomes this improvement which should provide significant improvements to containment at the site.

#### **Action 2: Please send the pictures once this is installed.**

Following this Poeton were asked to provide a plan on how they intend to improve the subsurface infrastructure including providing suitable impermeable containment throughout. Poeton have responded with their quote for a new treatment plant. The plan is to bring most of the plant above ground. Necessary collection points that remain subsurface will be double walled with inspection points. Furthermore, the new plant will provide greater levels of automation and efficiency when compared to the existing plant. Poeton have stated that the installation of the new system will be managed to allow them to continue running their existing plant whilst aspects of the new plant are installed to minimise disruption and remain compliant with their permit.

The borehole report provided by Poeton trends the groundwater analysis results for the years 2006, 2007, 2014 and 2021. These analysis suites are part of a 5 yearly (IED) permit requirement for groundwater monitoring. The boreholes are situated up and down gradient of the site as well as in relative proximity to the treatment plant. According to the Borehole report 'The samples were collected in accordance with the

instructions provided by ALS Environmental Ltd'. Upon a further request for information stated in car form CAR\_NRW0039247 Poeton state that each bore hole was purged twice prior to the samples being taken, and a new bailer was used for each borehole to avoid cross contamination. The report concludes that the ground contamination below Poeton has not been worsened by the processes carried out daily. The overall trends show a decline in key parameters across the 4 boreholes. NRW accepts this report. The next review will take place in another 5 years making the due date summer of 2026.

The operation of the treatment plant is reliant on the correct functioning of the pH and redox probes. Poeton were asked to provide details on what would happen in the event that each of the probes were to become faulty. Poeton responded by sending a copy of Environmental Poeton Process Instruction (EPPI 02) which states "If any on the pH or REDOX probes are found to be faulty/broken the probe must immediately be replaced with the spare that is kept on site. The new probe must be calibrated internally IAW manufacturer's instructions before being put into service. A calibration visit is to be arranged ASAP with the company that hold the service contract. Until the calibration visit, the probe is to be verified weekly. A new spare probe is to be ordered immediately". Poeton's Analytical Procedure 63 details the procedure for the calibration of a suitable pH probe for measuring the pH of solutions/rinse water IAW customer specifications. Poeton's Calibration Procedure 015 details the procedure for calibration of the pH and redox instruments. From reviewing the information that was provided by Poeton it is clear that there is sufficient procedures in place to continue monitoring the pH and Redox should an existing probe fail.

With the exception of the two Actions stated above, all other outstanding actions relating to the treatment plant audit have now been completed. Going forward please ensure that a thorough and robust inspection regime of the subsurface infrastructure is undertaken on a regular basis. It is essential that this is undertaken since these pits only have a single layer of protection between the effluent and the surrounding environment.

#### **CAR\_NRW0039251 Outstanding Actions:**

##### **Action 1:**

With regards to energy use does Poeton source its energy from renewable sources? If so, is it 100% renewable or a mixture from sources? If it is a mixture what are the sources? Due 28th February 2022

##### **Response:**

Poeton responded with the following: "We get our energy from Drax (formally Haven Power), this 100% renewable source power".

Action complete.

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](mailto: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](mailto: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.