

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

Site	SEM			Permit Ref	BK1341IN		
Operator/ Permit holder	SemLogistics Milford Haven Ltd						
Date	16 December 2014			Time in	10:30	Out	13:30
What parts of the permit were assessed	See Below						
Assessment	Choose an item.	EPR Activity:	Installation	X	Waste Op		Water Discharge
Recipient's name/position	H. Morgan						
Officer's name	K. Dunn			Date issued		17 February 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	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	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	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	A	
	3. Surface water	N	
	4. Sewer	N	
	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 or assessed in part (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

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

Persons Present :

David Hillier – HM Inspector of Health and Safety
Alun Williams – HM Inspector of Health and Safety

Operator Representatives:

Robert Griffiths (RG) – HSSE and Contracts Manager
Huw Morgan – HSSE and Contracts Manager
Dave Price – Maintenance Manager
Gary Scrivens – Integrity Engineer
Steve Hearn – Integrity Supervisor
Ted Cardiff - Compliance Manager
Jamie Dow – Operations Manager

An agenda was provided by the HSE prior to this visit and it should be noted that a COMAH Competent Authority Investigation Report will be in existence for this intervention.

Introduction

On the 16 December 2014 a Mechanical Engineering inspection was undertaken by the COMAH Competent Authority (CA) at Semlogistics Milford Haven Ltd (SEM). The Natural Resources Wales (NRW) PPC officer was also in attendance of this visit due to the shared interest in the intervention in respect of the Environmental Permit.

Following the Tank 114 incident the operator made a commitment to NRW to review and implement the additional requirements of Engineering Equipment Materials User Association (EEMUA) guidance 231 *'The Mechanical Integrity of Plant Containing Hazardous Substances'* in their Environment Management System. This inspection touched on where the principles of EEMUA 231 have been adopted on site and gave the operator the opportunity to demonstrate this to the regulator.

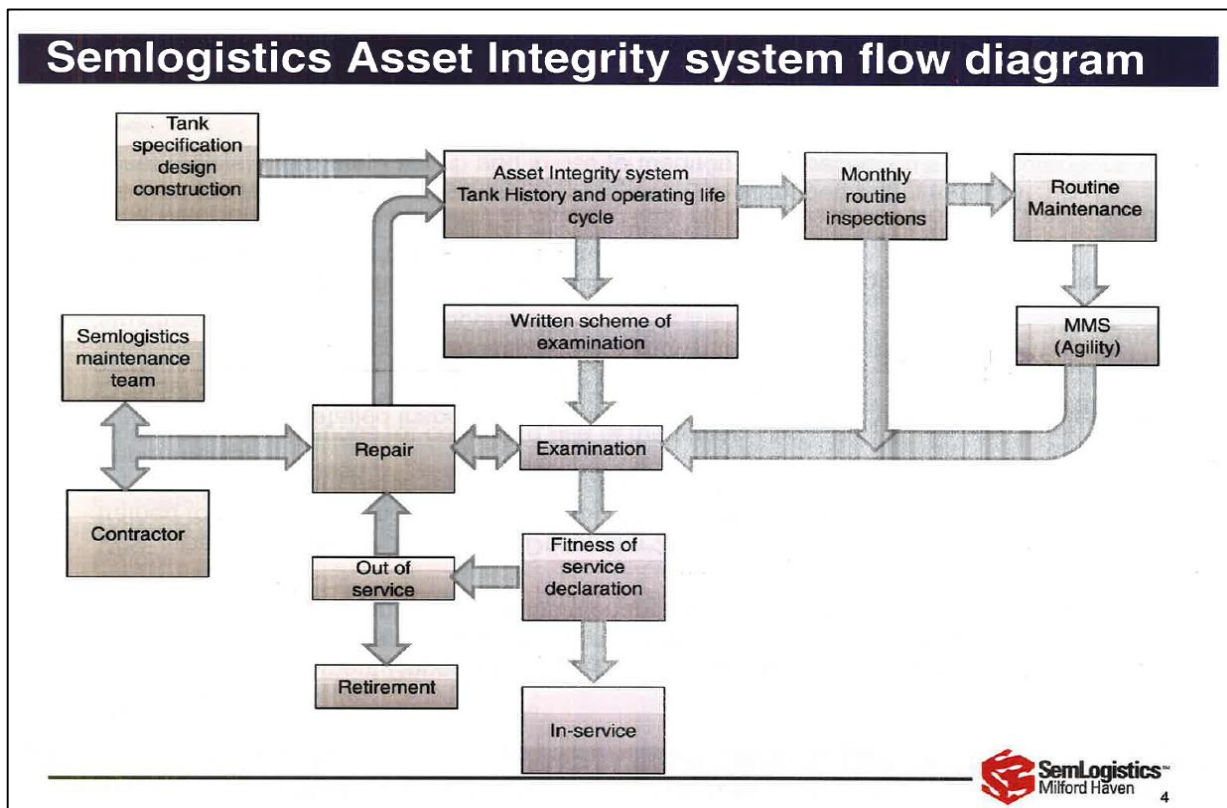
At the start of the visit the operator discussed work priorities, action tables, timelines and targets with the HSE. However, this CAR form focuses on those elements of the visit that relate to the implementation of the principles EEMUA 231:

Roles and Responsibilities

It was evident from this visit that the operator has made changes to the staff structure to incorporate an Integrity Engineer, Integrity supervisor and Drawing Office Technician. An up to date organogram was shared with the regulator to demonstrate the change to the structure. A Compliance Manager post has also been created for the implementation of the changes with the implementation of EEMUA 231 etc. In recent years integrity had fallen to the maintenance department however this has now been separated out. RG confirmed that everyone understands their role and responsibilities in the new structure and it has been working well.

Asset Integrity System Flow Diagram

The operator demonstrated to the regulator a flow diagram that has been adopted on site and is an example of the use of EEMUA 231. It was good to see where the principles of the guidance have been adopted. A recommendation was given by the HSE to include some responsibilities on the flow diagram by way of expansion on the steps e.g. numbering the roles. A copy of the flow diagram demonstrated on the day has been replicated below.



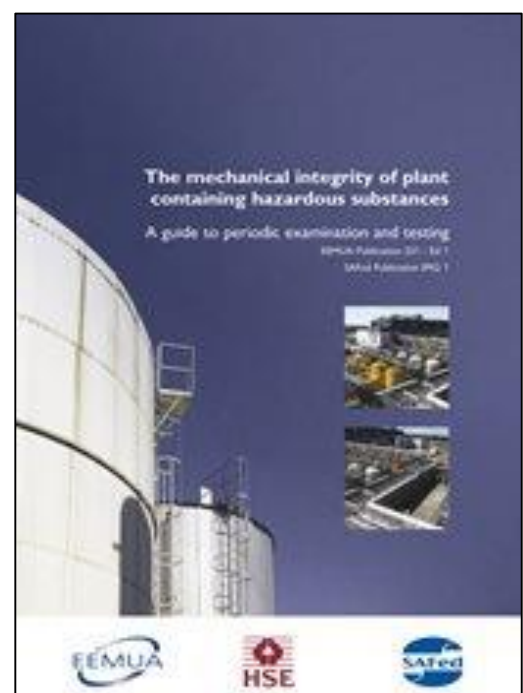
Records and files are also now kept in the Integrity office rather than with Maintenance and the Working Scheme of Examination (WSE) is now owned by the Integrity section.

Tank Inspections and Maintenance

Improvements on site have also included the construction of an asset register file system to facilitate in the management of tank inspections and maintenance. This system is now in use at the installation for a whole plant lifecycle approach to integrity management which reflects the principles of EEMUA 231 ('A Guide to Periodic Examination and Testing').

During this visit the operator explained how there is a tank inspection strategy in place to manage inspection frequencies of internal and external examinations to comply with EEMUA 159 'Above Ground Flat Bottomed Storage Tanks – A Guide to Inspection Maintenance and Repair' and American Petroleum Institute (API) guidance 653 '.

The operator also outlined that when a tank inspection is due it is flagged by the system 3 months in advance of the date. The inspections are undertaken by an accredited (ISO17020) third party inspection company while under supervision by the operator and in accordance with the WSE.



Any repairs recommended by the third party company are addressed by way of a competent tank repair specialist and supervised by the operator's Integrity department. Once any repairs have been completed they are then reviewed and signed off by the third party company.

Monthly routine in service checks are carried out in accordance with API 653 and the records kept on the Asset Integrity System. This was demonstrated by the operator during the visit. The reports that are produced from these checks are reviewed by the in house API inspectors and any subsequent findings managed through the computer management system.

Pipelines

In brief it is proposed that in early 2015 the operator will go out to contract for a whole pipeline inspection, this work is expected to take around 5 months. The operator indicated during this visit that the inspection report should be available to the regulator in June 2015. Isometric drawings of all in service pipework have been completed and form part of this work. The operator has been collating, consolidating and trending historic data etc. Again this is an area where the principles of EEMUA 231 have been adopted in that the newly constructed site file format allowing for the comparison of information over time.

Environmental Monitoring Returns

This CAR form also includes a review of monthly monitoring submissions, annual releases and the fugitive emissions report 2014 that have been submitted by the operator to date.

Fugitive Emissions - On 21 January 2015 the operator submitted a Fugitive Emissions Assessment in line with the annual review required by improvement condition 9.3.

Very briefly the report considers four areas of the site namely fugitive emissions from product storage, pipeline transfers, marine loading and the API separator. From the calculations the operator noted an increase in VOC emissions similar to those in 2009. The amount of VOC emissions is often directly linked to the amount of product stored on site, and the volumes imported and exported. Furthermore an increase in the annual average temperature in the Milford Haven area and the type of product being handled, can also reflect in the fugitive emissions released from the site. The recommendations in the report reflect those in previous years submissions, being continued progress of the tank improvement programme and a full site survey could be undertaken to update the data set.

Annual Releases – On 23 January 2015 the operator submitted the annual releases to water and waste. These submissions were made on time and using the correct forms. Where there are release limits in the permit e.g. Cadmium and Mercury the operator was found to be in compliance.

Reporting – Condition 6.3.3 of the environmental permit requires the operator to monitor emissions to water. Condition 4.1.2 requires that the results of this monitoring is submitted to the regulator within 28 days of the reporting period and on the forms in the permit. The monthly monitoring returns for 2014 were submitted on time and in compliance with the requirements of the environmental permit.

Conclusion

It was clear from the visit on 16 December 2014 that the operator had warranted the commitment made to NRW following the Tank 114 incident concerning EEMUA 231. The operator was able to demonstrate within their EMS of the implementation of the principles of EEMUA 231 at the site. Aspects of the guidance was evident which included the Asset Integrity Flow Diagram for a whole plant lifecycle approach to Integrity management. NRW was also pleased to see that the operator had made changes on site to incorporate an Integrity section who have taken ownership of records and files and the WSE. {END}

	EPR Compliance Assessment Report	Report ID: 5775
This form will report non-compliance with your permit as determined by an NRW officer		
Site	SEM	Permit BK1341IN
Operator/ Permit	SemLogistics Milford Haven Ltd	Date 17 February 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 a 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 Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). 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.

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

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) 601 0987**.