

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

Site	Felinfach, Ceredigion		Permit Ref	BL5644IK		
Operator/ Permit holder	Sensient Flavors Ltd					
Date	30 June 2015		Time in	09:30	Out	12:30
What parts of the permit were assessed	Review of Odournet report – Reassessment of A4 scrubber					
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op	Water Discharge
Recipient's name/position	Tim Pink – EHS Manager					
Officer's name	Nick Jenkins and Doug Cowie		Date issued	28/08/15		

**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
<b>a) Permitted activities</b>	1. Specified by permit	N	
<b>b) Infrastructure</b>	1. Engineering for prevention & control of pollution	3	1.1.1 (CCS 238805)
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
<b>c) General management</b>	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
<b>d) Incident management</b>	1. Site security	N	
	2. Accident, emergency & incident planning	N	
<b>e) Emissions</b>	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
<b>f) Amenity</b>	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
<b>g) Monitoring and records, maintenance and reporting</b>	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
<b>h) Resource efficiency</b>	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**

<b>Number of breaches recorded</b>	1	<b>Total compliance score</b> (see section 5 for scoring scheme)	4
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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

### Attendees

Kerry Boyd – Plant Manager, Sensient Flavors Ltd (Present for introductions)

Tim Pink – EHS Manager, Sensient Flavors Ltd

Nick Jenkins – PPC Officer, Industry Regulation Team, Natural Resources Wales

Doug Cowie – PPC Officer, Industry Regulation Team, Natural Resources Wales

### Agenda

1. Introductions
2. Discussion of progress with site odour plan & Review of Odournet's reassessment of A4 scrubber
3. Permit variation
4. Outstanding actions
5. Site tour
6. AOB

#### 1. Introductions

Doug Cowie was introduced as the new regulating officer for Sensient Flavours Ltd (Sensient). He will take over the regulation of the site. Nick will still be available to assist if necessary with any questions that with Doug or Tim may have.

#### 2. Discussion of progress with site odour plan & Review of Odournet's reassessment of A4 scrubber

In February 2015, Sensient submitted an odour plan as a response to ongoing odour complaints received from residents living in the Ciliau Aeron valley. This added to the consultancy work that Sensient contracted to Odournet in investigating the source of the odours. Odournet identified two sources of odour i.e. A4 and A5 scrubber units and concluded that A5 was undersized but A4 could be optimised with efficiency improvements. Sensient indicated that A5 scrubber would be replaced and that the operation of A4 scrubber would be assessed. A4 unit is the system used to scrub the emissions from the MCPD process via Oxygen Reduction Potential and pH control.

Report SENS15A (May 2015) was produced by Odournet and this was discussed during the meeting. At the outset, Sensient indicated their surprise at the conclusion of the report following the optimisation process and we reviewed the findings which are discussed below.

On the 9 April 2015, Odournet returned to reassess A4 scrubber and analysed three 35-minute samples at the inlet and outlet ports of the stack in line with BS EN 13725:2003 – 'Air quality – Determination of odour concentration by dynamic olfactometry'. The following are the measurements following analysis and are rounded up to the nearest 1000 ouE/m<sup>3</sup>.

A4 scrubber	Temperature °C	Geomean (ouE/m <sup>3</sup> )	Sample 1	Sample 2	Sample 3
Inlet	47	104k	147k	89k	86k
Outlet	38	71k	105k	73k	48k

The figures suggest an odour removal percentage of around 32% efficiency, which is unacceptable and Sensient have recognised this with their intention to replace the scrubber.

What was also evident in the report was the subjective assessment of the description of the samples at the inlet and outlet. The descriptions ranged from nutty, smoky, compost and putrid at the inlet and solvent, meaty, spoiled food at

the outlet. These descriptions are similar to the subjective descriptions of the odours witnessed by the complainants in Ciliau Aeron, although disputed on occasions by the operator.

As a result of the conclusions of the Odournet report, Sensient took the decision to replace the A4 scrubber at the same time as replacing A5. Sensient's sister factory in Milan is in the process of closing and as a result Felinfach have acquired three x two stage scrubbers. These units are around 10-13 years old but provide the opportunity to double the scrubbing capacity at the installation. The third scrubber will be kept as spares.

Sensient have committed to complete the installation by year end 2015 and during the site tour we were shown the areas where groundworks have commenced to accommodate the units. NRW are conscious that previous commitments to improvements at the plant have not been fulfilled and would take this opportunity to remind Sensient of the possible implications of not addressing the identified permit breaches that could lead to enforcement action.

The poor efficiency of the A4 scrubber which may have resulted in substantiated complaints indicates that there is a breach of permit condition 1.1.1 in that the abatement system was not operated to ensure efficient and effective scrubbing of emissions. This will be scored a category 3 breach with subsequent monthly scores suspended until the end of December 2015. The scores will be suspended as there is a defined odour action plan in place.

**Recommendation – Sensient to continue updating NRW with progress toward the completion of the installation of the two scrubber units.**

3. Permit variation

In CAR form ref 5674, issued 15 August 2014 NRW placed an action on Sensient to submit an application for a variation to the permit that included the storage of 24T of LPG as a fuel source and the redesign of the area 103 (which although had planning permission, Sensient made the decision not to continue with the works). This application was expected to be submitted and duly made by 31 December 2014. As a result of their decision not to progress the improvements works in area 103, Sensient delayed the submission of the variation application and through consultation with the Industry Regulation team we agreed that the application should now be submitted to include the two new scrubbers and any associated modelling to assess the changes. Sensient advised that they will contract the work out to an external consultancy. They have subsequently named Ramboll Environ as the preferred corporate contractor.

In addition, the following should be considered to be included in the variation application:

- Removal of the requirement to report to NRW water emissions that are treated offsite at the consortium owned Effluent Treatment Plant
- Any other relevant changes to the operations that are not currently covered by the permit and subsequent variations.

As part of the variation NRW will look to include a number of improvement conditions as well as adding limits for air emissions which were expected to be updated following Sensient's submission of IC9.23 in April 2004. The proposed improvement conditions will include a requirement to update the odour management plan and to include a relevant permit condition, which is currently absent. We discussed the possibility that during the application stage Sensient could apply for a consolidated modern permit. Sensient questioned the benefits and NRW advised that there is a requirement for NRW to review permits every eight years to ensure that they are fit for purpose. The following links will provide an indication of the new-style permit conditions.

<http://naturalresources.wales/apply-and-buy/environmental-permitting-regulations-guidance/guidance-to-help-you-comply-with-your-environmental-permit/?lang=en>

We remind Sensient that there is a three month determination period on a permit variation.

**Action – Variation to be submitted and duly made by November 2015.**

4. Outstanding Actions/Recommendations

CAR5674 22/07/14

- Operator to review all existing emission data and undertake a similar task as carried out in IC9.23 to produce emission limits which can be validated by NRW – **Ongoing**
- Review of Odournet report – **Completed**
- Sensient to restart weather station – **Completed**
- Sensient to submit a variation application to cover the proposed amendments to the operating techniques outlined in their redesign project of area 103 – **Ongoing to include points discussed in section 3 above.**
- Sensient to include the changes to the fuel source to include LPG in the variation – **Ongoing**
- Sensient to carry out a review of the dangerous substances in line with COMAH – **Completed**

- Operator to consider the removal of the requirement to report water discharges to the ETP – **Ongoing**
- Sensient to interrogate NRW's abstraction web pages to have a better understanding of the permit requirements – **Ongoing**
- Sensient to investigate methods to ensure that the escape of effluent from the cleaning process is stopped – **Ongoing**

CAR5834 13/02/15

- Sensient to be aware of the reporting requirements of their permit and to incorporate the submission dates into their procedures – **Ongoing**
- Sensient to submit a timetable for the improvements of air emission points – **Completed**
- Sensient to consider the removal of the requirement to submit monitoring data for effluent treated at the ETP – **Ongoing**

#### 5. Site Tour

We were given a tour of the factory which included a visit to area 113 where a significant amount of capital has been secured to improve the building fabric and the layout. This is encouraging and we welcome the improvements but please ensure that any relevant changes are captured in the permit variation.

Odour emissions are a concern at the installation and it was disappointing to see that an automatic door to the wet process area (MCPD) was open. We appreciate that it was a very warm day and that there are staff working in this area but fugitive emissions could contribute to offsite odours. If workers are subject to uncomfortable temperatures then it could be beneficial that Sensient enquire into conditioning the air rather than opening doors from odiferous areas. Subjective offsite odour assessments were made following the visit at Ciliau Aeron but no issues were identified although onsite odours at the site's car park were evident. Previous inspectors have highlighted the necessity for automatic doors to be open only when fork lift trucks require access (CAR 5150).

**Recommendation – Ensure that the risks of fugitive emissions from onsite sources are controlled to reduce offsite impact.**

#### 6. AOB

Sensient advised that they have upgraded their 'High care areas' and this was evident during the site tour. Water use has also increased with hygiene/cleaning improvements in these areas and in other parts of the site.

Sensient advised that there has been a noticeable increase in their water usage in the scrubbers in an attempt to deal with the odour complaints. Sensient advised that this increase may have caused the breaches in their flow emission point E1 which were noted in June – December 2014.

Sensient are a schedule 1 activity regulated under section 4.2 A(1) of EPR (Inorganic chemicals) but this activity is not captured under the Industrial Emissions Directive and therefore the company will not have to adhere to the emission limit values specified in the revised Best Available Techniques Reference (BREF) document for the inorganic chemical BREF. It is recommended that they have regard to it as well as the Food and Drink BREF and the link is provided : <http://eippcb.jrc.ec.europa.eu/reference/>

[END]

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

Site	Felinfach, Ceredigion	Permit Ref	BL5644IK
Operator/ Permit	Sensient Flavors Ltd	Date	30/06/15

**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.	
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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.	X
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We will now consider what enforcement action is appropriate and notify you, referencing this form.	
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**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			
B1	C3	Sensient to ensure that they implement measures to reduce/minimise the impact of offsite odours from their operations	End of December 2015
B1	C3	Sensient to submit a duly made permit variation for the proposed scrubber installation; the LPG storage area and all operational changes which reflect current onsite operations.	No later than the end of November 2015

## 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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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](mailto: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**.