

Compliance Assessment Report

Report ID:
CAR_NRW0017518

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

Site	Celtic Chemicals Limited	Permit Ref	NP3634MU			
Operator/Permit holder	Celtic Chemicals Limited					
Regime	Installations					
Date of assessment	24/03/2016	Time in	09:30	Out	12:30	
Assessment type	Audit					
Parts of the permit assessed	A1					
Lead officer's name	Jenkins, Nicholas					
Accompanied by	Taylor, Richard					
Recipient's name/position	Rhys Woolcock/ Financial Director	Date issued	03/05/2016			

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
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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

Attendees

Rhys Woolcock – Financial Director (Celtic Chemicals Ltd)

Vanessa Walsh - Head of Quality and Compliance (Celtic Chemicals Ltd)

Nick Jenkins – PPC Officer SW Wales (Natural Resources Wales)

Richard Taylor – PPC Officer SW Wales (Natural Resources Wales)

Background

Celtic Chemicals Ltd (CCL) is a privately owned company who carry out chemical dissolution and packaging; powders blending and repackaging; and storage and on-sale of chemicals. The permit was issued in 2007 as a 'low impact installation' (LII) and it is a requirement that CCL provides an annual report which provides evidence that they still meet the LII criteria. The scope of the audit was to ensure that CCL are still captured under the LII based on their 2015 annual submission. If CCL are not captured within LII in that they are above the levels stated in the guidance then it is likely that they will need to become a bespoke permitted installation.

Review of 2015 submission

The criteria for LII is produced in Guidance notes on part B1 – Standard facilities permit (link attached) https://naturalresources.wales/media/3035/epb1yv08mar14_final.pdf which was published in March 2014. CCL submitted their LII criteria report using the superseded guidance. The changes to the description field have been underlined, where appropriate in the table below. Comments have been added to review their submission.

It is recommended that CCL check the guidance before submitting their annual report and that this is clearly marked on the submission.

Criteria	Description	Demonstration of Compliance provided by CCL	NRW Comments
Management techniques	All of the criteria described below must be met without having to rely on significant management effort. In other words, the installation intrinsically must have only a low environmental impact, including under start up, shut down, or abnormal operating conditions.	The limits and requirements of the EPR permit are still met without any significant management effort. All processes operated at the site have a minimal intrinsic pollution potential. Standard operational procedures limit the potential for environmental damage at all stages of processing including abnormal conditions.	Vanessa Walsh is employed as the head of quality and compliance. Vanessa was previously employed as a quality assurance manager at Biotech Service International Ltd and brings with her the skills to develop the EMS. One of her objectives is to bring the system up to a standard which reflects ISO:14001. CCL see this as a driver for building a larger client base.

		Employees are appropriately trained in production processes and in emergency procedures (spill, fire, etc.). Production and training records are retained for traceability. During the year 2016 a formal Environmental Management System is to be introduced.							
Aqueous Waste	The installation must not produce more than 50m3 per day of water from process activities conducted at the installation giving rise to effluent. No account need be taken of the volume of water exported from the installation as product. <u>Characterise and quantify any aqueous effluents released from the installation on a daily basis and provide justification that the installation releases no more than 50 m³ per day of water from process activities.</u>	The limit of 50m3 per day has not been exceeded. Waste water has been disposed as follows during the period concerned: 04/02/15 – 20m3 27/03/15 – 20m3 15/05/15 – 20m3 06/07/15 - 20m3 14/09/15 – 20m3 11/11/15 – 20m3 09/12/15 – 20m3 All of the above were EWC 06-03-14 (non-hazardous wash water) <table><tr><th colspan="2">Your Selected EWC Codes</th></tr><tr><th>EWC Code</th><th>Description</th></tr><tr><td>06 03 14</td><td>solid salts and solutions other than those mentioned in 06 03 11 and 06 03 13</td></tr></table>	Your Selected EWC Codes		EWC Code	Description	06 03 14	solid salts and solutions other than those mentioned in 06 03 11 and 06 03 13	In 2015, CCL removed approximately 140m³ of waste water. This was removed as hazardous waste regardless of its categorisation as non-hazardous. This could be costly and we would encourage CCL to discuss this change with their and other waste contractors. As well as cost there is also the concern of reporting spurious hazardous waste information to Welsh Government as well as potentially unnecessary treatment at the disposal site. We discussed the possibility of discharging the waste water into the public sewer under a trade effluent consent and we would encourage CCL to progress this option and to report their findings at the next opportunity. <i>It is worth noting that the discharge of waste water to the sewer was the preferred option specified in the permit application.</i> To reduce the amount of water in the bund around the aqueous waste tank, CCL will consider the roofing of the tank. This would only be worth implementing if a trade consent to DCWW sewer network was unsuccessful and the tank and bund were decommissioned.
Your Selected EWC Codes									
EWC Code	Description								
06 03 14	solid salts and solutions other than those mentioned in 06 03 11 and 06 03 13								
Abatement Systems/Releases to Air	The installation must comply with the criteria in this guidance without having to rely on active abatement for releases to the environment outside of any buildings. In particular, releases must not be dependent on continuing or correct	During 2015 no environmentally detrimental emissions were released. Celtic Chemicals has no limit set in Table S 4.1 due to the intrinsically low levels released.	It is noted that the ventilation system was inspected in November 2014 although it should be completed annually.						

	operation of equipment, where failure of active pollution prevention systems could result in an unacceptable external release. For example, if the installation depends on active abatement in the form of scrubbers, filters or electrostatic precipitators to achieve the releases to the environment set out in this guidance, it is unlikely that it can be treated as having only a low potential for impact. However abatement systems installed for workers protection only (where abatement is not to attenuate external environmental releases) need not be included in this assessment.	Personal exposure is monitored under the company health and safety management system to confirm that the releases are minimal and of no health concern. 29 personal exposure tests were carried out during the year on a variety of products that may give rise to dusts and fumes. The ventilation system is inspected annually and maintained by its' manufacturer Donaldson. Last inspection November 2014. A report of the effectiveness of the extraction was conducted by Pontardawe Air Movements in December 2015. Request documents. There were no incidents of overexposure during the year, which confirms that releases are minimal.	
Groundwater Regulations	There must be no planned or fugitive emission from the permitted installation into the ground, or any soakaway. <u>This does not preclude the discharge of clean rain water run-off into soakaways.</u> Pet cemeteries may be exempt from this criterion provided certain conditions are met, as detailed in the "Landfill (England & Wales) Regulations 2002, Regulatory Guidance Note 8, Pet Cemeteries and Crematoria.	There has been no fugitive emission to ground during the period. All wastewater is collected on site and disposed of as outlined above. Inspections of the wastewater tank, waste water sump, and bund areas were conducted at regular intervals (when tank is emptied by waste contractor) during 2015 by Richard Ian Thomas (Health & Safety Manager). These are recorded as part of the company's EMS.	CCL advised that to ensure that it stays compliant with this condition they operate within the building, inside a bund area. CCL do store chemicals externally and we were shown a newly constructed area where chemicals are locked away. The area around the storage area is concrete but the direction of fall from the area wasn't clear and this would need to be clear in the event of a spill.
Waste Production	The installation must not give rise to more than 1 tonne of Directive waste or 10-kgs Hazardous Waste per day, averaged over a year, with not more than 20 tonnes of Directive waste or 200kg of hazardous waste being released in any one day.	General Waste ~8000-kg Biffa (CB/WE5237GH) & Veolia (CBEP3195BG) Recylates ~5750-kg Biffa (CB/WE5237GH) & Veolia (CBEP3195BG) Hazardous/Chemical waste ~2000-Kgs , Red Industries, Stoke (NP3437SZ). Resultant from a purge of expired stock built up over the course of the last 10 years+. Approx. 5.5kgs/day Rubble/Timber ~1000 kg Davies Skips - CB/QN3471TG	Waste produced onsite for 2015 falls within the criteria for LII. There is a query around the removal of 2000kgs of hazardous waste to Red Industries but as the reason behind this is the purge of stock, this can be seen as irregular and can therefore be considered as compliant. CCL advised that it is considering better use of its recycling of cardboard and plastic by introducing a baler.

		Metal Recycling 2.64 mt Sims Metal Management (EAWML34092) Total = 17,390kgs/365 days = 47.4kgs/day The limits for low level compliance are not breached.	
Energy Consumption	The installation must not consume energy at a rate greater than either 3MW or, if the installation uses a combined heat and power installation to supply any internal process heat, 10MW. <u>These limits apply to the sum of energy imported as electricity and produced on site through the combustion of fuels.</u>	During the year 2015, energy consumption was as follows: Electricity Electricity use averaged at 9700kwh/month; well below the threshold for LI installations Gas Gas use averaged 3000 kwh/month; well below the threshold for LI installations. Water use Metered water used on site for the period 2015 = 681 m3	A comparison of previous year's results provided the following changes: Electricity increased from 7900kWh/month to 9700kWh. An increase of ~23%. CCL advised that the increase can be accounted for by increase in output along with the increase in operational hours (07:30-17:00hrs). Gas use averaged 3000kWh/month which is a reduction in results provided for the previous year. A decrease of around 13%. Water use is not measured but the result is supplied using DCWW billing for the year. When compared to the previous year the water used in the installation has increased almost 98%. CCL are conscious of their water use, albeit relatively small for an industrial operation but it is considering the installation of a water recovery system via reverse osmosis.
Accident Prevention	<u>You must have in place satisfactory containment measures to prevent fugitive emissions to surface water, sewer or land and ensure that these are adequately maintained at all times. This requirement applies to all substances present on site and in any quantity.</u>	An assessment of storage of dangerous substances was undertaken in May 2015. It found that oxidising substances in excess of 10% of the COMAH lower tier threshold were held on site. As a measure to reduce this quantity, a quantity of oxidising chemicals were transferred to a third party warehouse, reducing the quantity to below 10% In addition CCL maintains its EMS & H&S management systems to minimise the threat of accidents. These systems include regular assessments of emergency systems & containments. These were sufficient in our mitigation against environmental accidents.	The response provided was based on the description based on previous LII criteria i.e. COMAH low thresholds. The description changed in 2014 to ensure that the installation has suitable containment to prevent any environmental impacts. We could consider the external waste water tank as one of the biggest environmental risks and would recommend that both the tank and bund are regularly checked to ensure the risk of a breach is minimal. CCL have recently amended their inspection forms to account for a more detailed review of the system. NRW did identify ongoing comments in the inspection of the system which had been raised in March 2015 and again in February and March 2016 i.e. internal bund wall damaged but there had been no sign off to suggest that this had been completed. ACTION – Where comments are raised and assessed as high risk, ensure that they are actioned as soon as practicable.
Noise	There must be only a low potential for offence due to noise. An installation will not be considered as a low impact installation if it may give rise to noise noticeable outside the installation boundary. This requires the exercise of judgement; taking account of any history of noise complaint from the installation and consideration of the likely off-site noise levels and proximity of sensitive receptors. Describe the	Celtic Chemicals Ltd's operations are not considered noise polluting. There has been no change in this during 2015. No noise related complaints have been lodged during the year.	Once again the descriptor for noise changed in 2014 and removed the necessity to comply with BS4142:1997. To replace this LII will now have to describe the main sources of noise, identify the nearest sensitive receptors any noise measurements they have undertaken and techniques used to control sound. We discussed the sound source in site which included, pumps, blender, fork lift trucks and LEV systems/compressors. ACTION – CCL to produce a report to consider the description of sound sources at the installation.

	<u>main sources of noise from the installation, the nearest noise sensitive locations and any relevant noise measurement surveys which have been undertaken; and the proposed techniques and measures for the control of noise. Provide justification that there is only a low potential for offence due to noise.</u>		
Emissions of Polluting Substances	<u>Justify that there will be no likelihood of a release to the environment of any particular substance from the whole installation at a rate greater than that determined as insignificant as set out in our guidance note 'How to comply' and 'H1 Environmental Assessment.'</u> <u>Describe the nature, quantities and sources of foreseeable emissions from the installation.</u>	There were no emissions of polluting substances above the level considered trivial in the original application.	This descriptor has also been amended and requires an assessment of the emissions based on NRW's guidance documents. ACTION – CCL to undertake an assessment of their emissions against the guidance documents specified i.e. H1 and How to Comply with your environmental permit.
Odour	There must be only a low potential for offence due to odour. An installation will not be considered as a low impact installation if it may give rise to an offensive smell noticeable outside the installation boundary. This requires the exercise of judgement; taking account of any history of odour complaint from the installation and whether this class of activity is known by experience to give rise to smells. A significant possibility or actual history of excursions of fugitive emissions, for example from stored materials, would suggest that the installation could not be treated as having low impact. <u>Provide details of potential sources of odour from the installation, for example from stored materials, and justify that there is only a low potential for offence due to odour.</u>	There were no odour related issues or complaints during the year 2015.	This descriptor has also been amended and requires an assessment of the potential sources of odour from the installation. ACTION – CCL to undertake an assessment of their potential sources of odour and justify whether there is a low potential for offence.
Compliance History	If any of the following enforcement actions have taken place (and not been, where appropriate, overturned on appeal) at the same installation under the same management, then it will not be considered further as a low impact installation: ○ Prosecution ○ Formal Caution ○ Suspension Notice ○ Enforcement Notice relating to an actual or potential environment incident (All under PPC or the equivalent under previous environmental regimes).	None of the aforementioned actions occurred during 2015.	Agreed.

[END]

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0017518**

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

Site	Celtic Chemicals Limited	Permit Ref	NP3634MU
Operator/Permit holder	Celtic Chemicals Limited	Date	24/03/2016

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.

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.