Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0026420

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

Site	Llanelli Plant	Permi	BV4223IE		
Operator/Permit holder	Huntsman Corporation UK Ltd				
Regime	Installation				
Date of assessment	18/08/2016	Time	09:00	Out	16:30
Assessment type	Audit				
Parts of the permit assessed	See Below				
Lead officer's name	Karen Dunn	Accompanie	n/a		
Recipient's name/position	Grant Wood Environment and Health and Safety Manager	Date	3 October 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	N	
B1 - Infrastructure - Engineering for prevention and control of emissions	N	
B2 - Infrastructure - Closure and decommissioning	N	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	N	
B4 - Infrastructure – Plant and equipment	N	
C1 - General Management - Staff competency/training	N	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	N	
C4 - General Management - Storage, handling labelling, labelling and Segregation	N	
D1 - Incident Management - Site security	N	
D2 - Incident Management - accidents, emergency and incident planning	A	
E1 - Emissions - Air	N	
E2 - Emissions - Land and groundwater	N	
E3 - Emissions - Surface water	C3	Condition 3.1
E4 - Emissions - Sewer	N	
E5 - Emissions - Waste	N	
F1 - Amenity - Odour	N	
F2 - Amenity - Noise	N	
F3 - Amenity - Dust/ fibres/ particulates/ litter	N	
F4 - Amenity - Pests/birds/scavengers	N	
F5 - Amenity - Deposits on road	N	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	
H1 - Resource Efficiency - Efficient use of raw materials	N	
H2 - Resource Efficiency - Energy efficiency	N	

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	1	**Total compliance score** (see section 5 for scoring scheme)	4

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 (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 including:
  - details of advice given;
  - any other areas of concern;
  - any actions requested;
  - any examples of good practice;
  - a reference to photos taken.

Introductions

Huntsman representative present during the audit was:

Grant Wood (GW) – Environment and Health and Safety Manager

This visit was pre-arranged and the following agenda items were provided to the operator in advance of the meeting:

Introductions and any proposed change since last visit;
Review of Actions/Recommendation from CAR 5909;
Ammoniacal Nitrogen Matter;
Maintenance of Effluent Streams;
Site tour focusing on areas visited during the audit;
AOB

Introduction

Since the last audit there has been some proposed changes in the parent company involving staff numbers and business strategy. This in combination with the current economic climate has meant that current business activity at the Huntsman site in Bynea was described as 'static'. This has meant that some non-essential work or development plans i.e. proposed new ammonia tank are on hold pending an upturn in business. This routine audit mainly took a broad approach, the key objective was to discuss on-going matters concerning the Ammoniacal Nitrogen (100mg/l) emission limit value (ELV) in the permit and compliance. An in depth audit approach was then used to explore the maintenance of the weak effluent stream and in particular the drains, concrete channels, bunds and associated reed bed.

Objective 1: To review the actions / recommendations from the last visit report with the operator.

From the last routine audit there were no recommendations placed on the operator but 5 actions which were reviewed at the start of this visit. The actions have been replicated below for ease of reference:

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			
No permit breaches were identified in the areas visited during this audit. The adjacent actions have been placed on the operator.		**Action:** KD to speak with the NRW Marine Team concerning the operators 'Direct Toxicity Assessment of the Effluent Discharges from Huntsman Llanelli Site. (Update following the audit: KD spoke with the NRW Marine Team who agreed to review the report that was submitted for the provision of formal advice back to the operator.)	Complete Formal comments to be provided to the operator.
		Action: Operator to update Schematic 18 to include the percentage loadings of organics in each stream.	11/11/2015
		Action: Operator to explore if there is any flexibility in reducing the organics in the weak effluent from the tank washing procedures currently in place i.e. internal audit of this procedure to see if <1.0% organics is consistently sent to the weak effluent stream and investigation on the use of weak effluent for tank washing.	To be visited at the next audit due Q3 (Oct, Nov, Dec 2015)
		Action: On review of the drainage plan for the site if an update is required a copy should also be provided to the regulator for the site files and included in the emergency procedures for the site.	On review.
		Action: Drains to be checked around the loading bay area to ensure they are clear of debris. Maintenance of the drains in this location needs to be reviewed so they are kept free of blockages.	To be visited at the next audit due Q3.

Comments on the each actions can be found in the following:

1. Direct Toxicity Assessment of the Effluent Discharges from Huntsman Llanelli Site (Report Number: ER13-194)

The following comment from NRW was discussed with the operator and can now be made as a formal record in respect of the above named report submitted to Environment Agency Wales in 2013. On review of the report by the NRW marine team we can conclude that we are in agreement with the conclusions of the report, based on the study it would appear that the discharge is not likely to have an acute effect on the receiving water. A discussion was held with the operator in respect of a further microbenthic community assessment in the near vicinity of the discharge and the results of this being used as supporting evidence to apply for a variation for a potential change to the Ammoniacal Nitrogen ELV to a mass limit due to the unique nature of the effluent from this speciality organic chemical facility.

Also the operator advised that the maximum effluent discharge limit in the permit far exceeded what was required. This has been discussed further under objective 2. The discharge from the Huntsman Llanelli site is also intermittent. A question was raised on whether effluent flow and volumes discharges are considered in the Environment Agency H1 software tool used to assess the impact.

H1 Environmental Risk Assessment Tool.

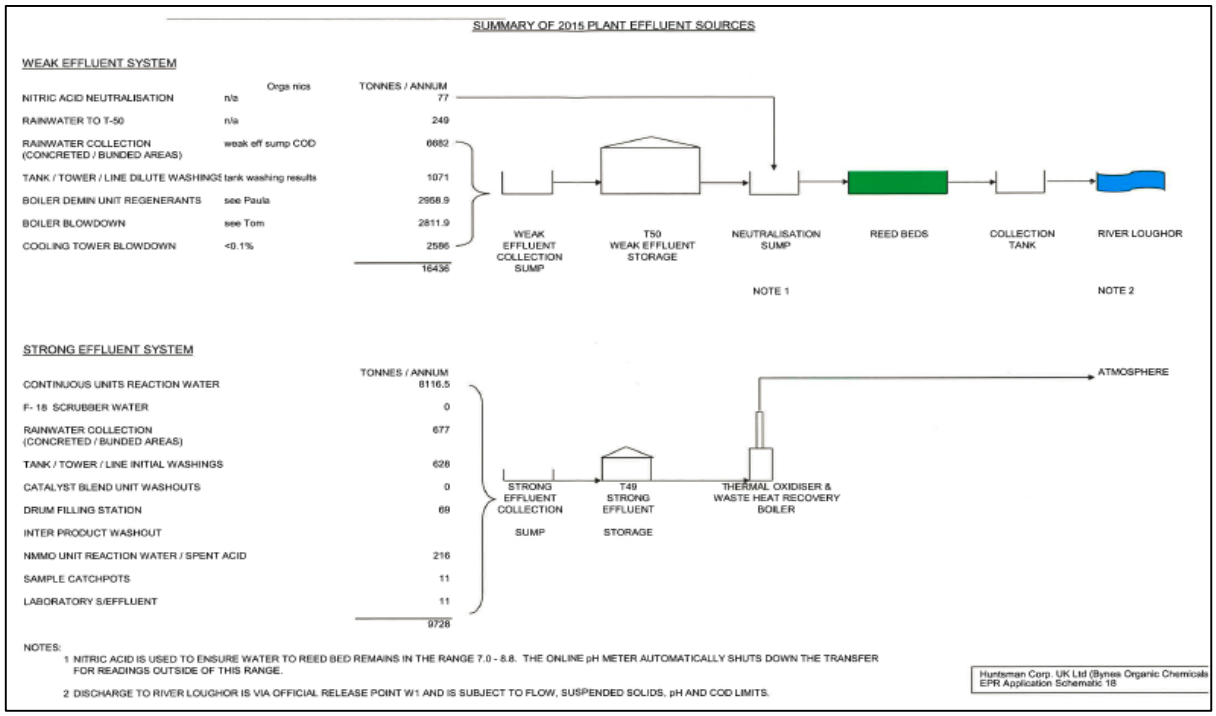
The H1 tool enables calculation of the impact of proposed substance releases to various media. It screens out from detailed assessment those releases described as 'insignificant' emissions to air, for deposition onto land, or for discharges to water effluent streams containing substances which are not 'liable to cause pollution'.

Following the last visit KD reviewed the original H1 submission. The operator explained that there was no capacity within the tool to add Ammoniacal Nitrogen to the assessment and it wasn't an exact fit in respect of the effluent i.e. complex effluent. A discussion was held over inputting of data into the screening tool and KD advised that our chemical lead in permitting is aware of the issues and is able to help with the use of the tool if required.

Action: Operator to review the original H1 risk assessment tool and undertake an up to date one to incorporate Ammoniacal Nitrogen. Once complete to provide a copy to KD.

2. Schematic 18 Tank Washings

The operator has updated the summary of the plant effluent sources or Schematic 18 to show the percentage loadings of organics in each stream. This was undertaken in line with the action on the previous CAR and is now deemed complete. From the 2015 update tank washings since the last schematic in 2002 has increased to 1071 tonnes/year from 628 and is considered to be the main contributory factor of organics in the weak effluent. The updated schematic can be seen in below:



3. The operator was also tasked with investigating by means of an internal audit the tank washing procedure that was explored during the last visit. In particular to see if the <1.0% threshold for directing tank washings to the weak effluent stream was being adhered to. During this visit the operator confirmed that the internal audit was complete and it was found that on occasion the <1.0% organic threshold for tank washings being sent to the weak effluent stream was exceeded. As a result and for better environmental control the operator has identified an improvement involving the installation of Total Organic Carbon (TOC) meters in 2 effluent sumps.

   Through the installation of the TOC meters the operator will be able to trend the data providing greater knowledge, understanding and management of the weak effluent stream. This in turn should assist in meeting compliance with the Ammoniacal Nitrogen limit on the final discharge by reducing the organics within the stream. At the time of the visit the operator was in the process of meeting with a contractor regarding the installation of the TOC meters.

4. The last 2 actions from the previous visit were explored further during the site tour. NRW was forwarded the most up to date drainage plan for NRW records immediately after the last visit. Confirmation of its inclusion in the accident management plan was checked in the control room at the end of the site tour where the operator was able to demonstrate both the presence of the accident management plan in the new control room and the inclusion of the latest version of the site drainage plan.

5. See comment 4. above

On review of the actions with the operator confirmation can be given in this report that they are complete.

Objective 2 – To discuss the Ammoniacal Nitrogen Emission Limit Value (ELV) in the environmental permit.

A question was raised by the operator over the reason why NRW is not receptive to a change of the permit to a mass limit for Ammoniacal Nitrogen on the discharge over an ELV. KD advised that from experience this was not a favourable option by the regulator as it is not considered as environmentally protective as an ELV and could be seen as 'back sliding'. This is consistent with advice given to other regulated industry sectors. The ELV's in a permit consider the receiving watercourse which in the case of the site is a sensitive receptor and failing water body. KD referred the operator to NRW Water Watch Wales. Water Watch Wales refers to a series of maps relating to the Water Framework Directive (WFD) and a link to the website can be found below:

http://waterwatchwales.naturalresourceswales.gov.uk/en/

The status of the River Loughour which the final effluent discharges was identified on the above website with the operator ('WFD Cycle 1 Rivers and Water Bodies in Wales' locate the River Loughour and select transitional waters.

Information on what the river is failing can be seen here). As discussed on the previous CAR the main reason for the failure is a result of eutrophication from nutrient enrichment i.e. Nitrogen and Phosphate loadings from a number of sources.

It is acknowledged that the volume of the discharge from the site is small compared to the receiving water body and discussions were held over various nutrient inputs. NRW and the former organisation Environment Agency Wales has worked to address the failing water body status through, the review of consents for water treatment works and run off from farm land etc. NRW aims to achieve good water body status in our rivers in Wales and any effort, no matter how small is a contributory factor in realising this goal. Industry regulation has a role to play through permit compliance etc.

The operator queried the option of a permit variation application submission for a mass limit for Ammoniacal Nitrogen on the discharge to the River Loughour with supporting evidence outlining 'no environmental impact'. KD explained that a variation application could not be pre-determined and it was difficult to recommend this course of action. It is however still open to the operator to apply for the variation and this would be determined based on the supporting information provided. The operator also mentioned that the maximum flow (effluent treatment plant - 120m / day continuous daily average) of the discharge on the limit was far larger than the site requires and this could be reduced at the same time.

Action: Operator to send KD an e-mail with the proposal for a variation for a mass-based limit as previously queried through former inspectors. The e-mail should provide the supporting information that the operator proposes for consideration by the NRW regulated industry permitting team.

Environmental Monitoring

The operator telephoned NRW and submitted a Schedule 5 notification in line with the environmental permit on 6 July 2016. This was made on detection of a sample taken on 30 June 2016 that recorded 129mg/l Ammoniacal Nitrogen from a permit limit of 100 mg/l in the permit. The operator was advised during this visit that this breach of the ELV would be scored on this CAR form as a permit breach and incur a Category 3 score.

A brief discussion was had over the possibility of suspension of scores regarding this matter in light of the agreed actions concerning the submission of a reviewed and updated H1, e-mail to permitting concerning the possibility of a mass limit, and proposed installation of the TOC meters in the weak effluent sumps. KD agreed to take this as an action.

Action: KD to review the Compliance Classification Scheme (CCS) guidance NRW are working to and the rules on suspending scores. **COMPLETE**

On review of the rules to suspend scores in the Compliance Classification Scheme (CCS) it is considered that the circumstances on this matter meet the following:

- Scores can only be suspended for 6 months and no longer (historically scores have been suspended against this issue for this period).

The circumstances under which the last breach occurred was outlined by the operator in that Tank T50 wasn't being pumped to the reed bed at the time of the failure. The operator explained how tank T50 holds the weak effluent prior to pumping to the reed beds and the COD is measured on this tank. It is only when the COD is at a certain level within the effluent then it is sent to the reed beds. It is understood that tank T50 is an open tank so dilution of the effluent will occur depending on weather conditions. It was established from the operator's trial on the reed bed system and reported in the consultant's final report in 2011 that:

Ammonia removal by the pilot was insignificant and likely to be related to the nutrient demand of the heterotrophic bacteria responsible for COD removal. In order to flourish the bacteria required low COD concentrations, aeration, alkalinity and a non-toxic environment. The operator also reported that with proven success in removal of COD, ample aeration, and ample alkalinity, the correct conditions to establish attached growth nitrifying bacteria.

Best Reference Document (BREF)

As previously discussed the process for the revised BREF's for the chemical sector has not yet started (expected to begin 2017). It is not possible to pre-empt what best practice will be decided upon for discharges to water in the primary BREF. The operator is a member of the trade association Chemical Industries Association (CIA) who will make representation on behalf of its members as well as NRW and this will feed into the BREF process.

NRW have previously advised that the Common Waste Water Treatment (CWW) or horizontal BREF has a published limit for Ammoniacal Nitrogen of 5mg/l. KD also spoke with the chemical lead in permitting regarding typical limits in permits issued in the chemical sector today and it is usually 5-15mg/l or less for Ammoniacal Nitrogen. This is something that the site needs to consider. The operator has indicated that if there is a Best Available Technique (BAT) Associated Emission Limit (AEL) for Ammonical Nitrogen which is much tighter in the revised BREF from the current permitted limit then a derogation would need to be applied for. In brief on publication of the BREF the operator has four years to meet BAT, in derogating from BAT the operator will need to meet the requirements of Article 15 (4) of the Industrial Emissions Directive (IED).

KD reviewed the current BREF for Organic Fine Chemicals August 2006 and it is considered that the following applies and has been replicated below for ease of reference:

Biological waste water treatment
BAT is to treat effluents containing a relevant organic load, such as waste water streams from production processes, rinsing and cleaning water, in a biological WWTP. BAT is to ensure that the elimination in a joint waste water treatment is overall not poorer than in the case of on-site treatment. For biological waste water treatment, COD elimination rates of 93 – 97 % are typically achievable as a yearly average. It is important that a COD elimination rate cannot be understood as a standalone parameter, but is influenced by the production spectrum (e.g production of dyes/pigments, optical brighteners, aromatic intermediates which create refractory loadings in most of the waste water streams on a site), the degree of solvent removal and the degree of pretreatment of refractory organic loadings. Depending on the individual situation, retrofitting of the biological WWTP is required in order to adjust, e.g. treatment capacity or buffer volume or the application of a nitrification/denitrification or a chemical/mechanical stage. BAT is to take full advantage of the biological degradation potential of the total effluent and to achieve BOD elimination rates above 99 % and yearly average BOD emission levels of 1 - 18 mg/l. The levels relate to the effluent after biological treatment without dilution, e.g. by mixing with cooling water. BAT is to achieve the emission levels given in Table VIII.

The operator advises NRW however that the effluent from the site is 'complex' and therefore cannot be sent for treatment to sewer or through a biological treatment works. In improvement condition submission IC11 it is noted that the operator explored the option of aerobic digestion with a major waste water treatment works combing both strong and weak effluent however it is unclear if the weak effluent stream alone which discharges to the River Loughour has been considered in isolation.

Action: Operator to speciate the weak effluent to identify the ammonia compound e.g. through mass spectrometer or GCMS to identify if it matches Ammonical Nitrogen NH3N – NH4N or a complex compound and to report the results to NRW.

Recommendation: In light of the likely reduction on the ELV from the current 100mg/l Ammoniacal Nitrogen in the future through the implementation of the CWW horizontal BREF. Operator to consider biological treatment for the weak effluent stream.

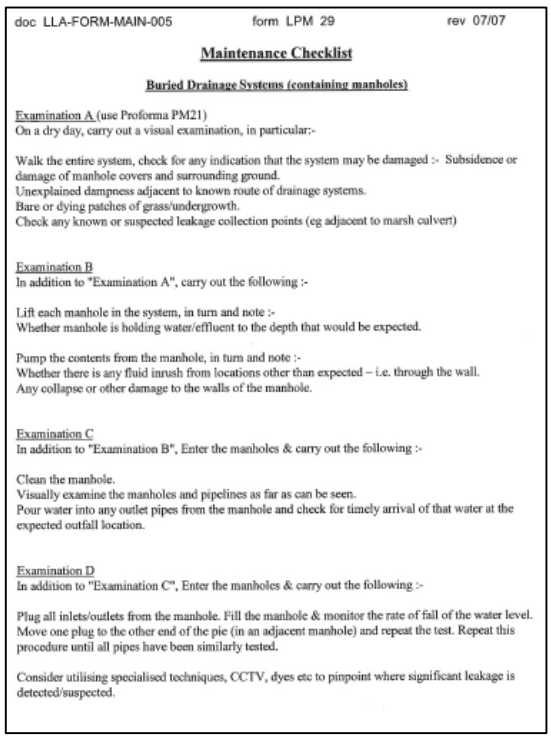
A discussion was held over methods of final effluent disposal at similar sites in the group in other parts of the world for example via a borehole. Due to legislation in place applicable to England and Wales for the protection of groundwater this would not be a viable option for the Bynea site.

<u>Objective 3: To explore the maintenance of the effluent streams with the operator.</u>

This section of the audit sought to identify the maintenance procedures and checks in place for the effluent streams with a particular focus on the weak and the reed bed system. A site tour was also conducted in the areas explored during the audit.

A discussion was held over the type and frequency of the maintenance checks associated with the effluent streams namely bunds and levees (LPM31), reed beds (LPM45) and buried drainage systems (LPM29). The operator demonstrated the checklists in place and the latest completed proformas (PM21 & PM22) for this work. The operator also outlined that the frequency of the checks is annual (NB/ past proformas were not requested to assess the frequency) and the level of examination depended on the findings i.e. Examination A, moving to B, C etc. The different levels of examination can be seen in the buried drainage system maintenance checklist below. In recent years areas of

the concreted main process area and associated drainage had been renewed or repaired as part of a larger capital investment project (Aeolus).



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Maintenance Checklist

Buried Drainage Systems (containing manholes)

Examination A (use Proforma PM21)
On a dry day, carry out a visual examination, in particular:-

Walk the entire system, check for any indication that the system may be damaged :- Subsidence or damage of manhole covers and surrounding ground.
Unexplained dampness adjacent to known route of drainage systems.
Bare or dying patches of grass/undergrowth.
Check any known or suspected leakage collection points (eg adjacent to marsh culvert)

Examination B
In addition to "Examination A", carry out the following :-

Lift each manhole in the system, in turn and note :-
Whether manhole is holding water/effluent to the depth that would be expected.

Pump the contents from the manhole, in turn and note :-
Whether there is any fluid inrush from locations other than expected – i.e. through the wall.
Any collapse or other damage to the walls of the manhole.

Examination C
In addition to "Examination B", Enter the manholes & carry out the following :-

Clean the manhole.
Visually examine the manholes and pipelines as far as can be seen.
Pour water into any outlet pipes from the manhole and check for timely arrival of that water at the expected outfall location.

Examination D
In addition to "Examination C", Enter the manholes & carry out the following :-

Plug all inlets/outlets from the manhole. Fill the manhole & monitor the rate of fall of the water level. Move one plug to the other end of the pie (in an adjacent manhole) and repeat the test. Repeat this procedure until all pipes have been similarly tested.

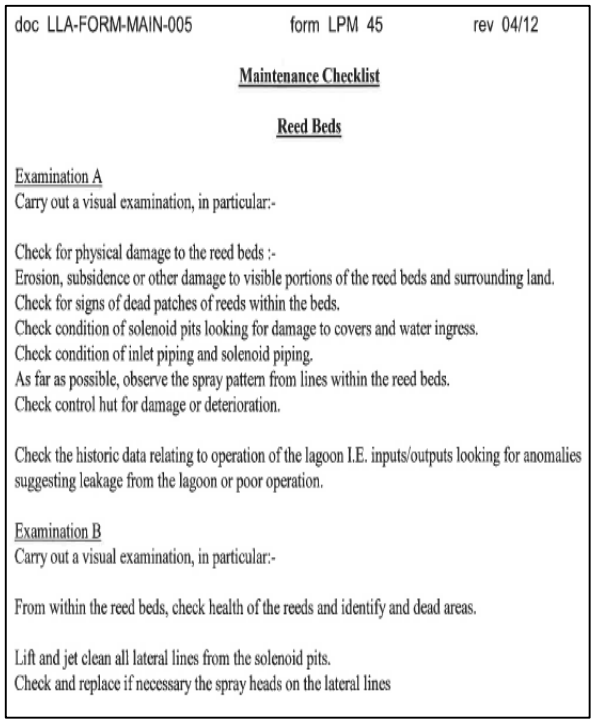
Consider utilising specialised techniques, CCTV, dyes etc to pinpoint where significant leakage is detected/suspected.

It was noted that the proforma for the checklists included a tick box and a question was raised over the documentation of any observations made during the checks. It was established that the associated proformas asks for any additional comments to be entered on the back of the form. The operator explained that any issues identified e.g. blocked drain etc. a maintenance request would be made and entered into MAXIMO and this would be scheduled and prioritised within the system. During the site visit it was noted that an area of concrete was degrading around a drain to the north of the site however this was not evident on the latest proforma. Although not considered a priority repair it was thought prudent to make a record of the degradation to aid in the prioritisation of any planned future repair work.

Recommendation: Operator to review the checklist proforma and consider a comment / observation box for each area checked to document any observations e.g. concrete degradation around drains that will need addressing.

Prior to reaching the reed bed system the tour focused on the week effluent stream through the process area incorporating a visual inspection of the drains and tank bunds. The improvement works which included areas of concrete repair and drain replacement through the main process area was evident.

Maintenance checks on the Reed Beds



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Maintenance Checklist

Reed Beds

Examination A
Carry out a visual examination, in particular:-

Check for physical damage to the reed beds :-
Erosion, subsidence or other damage to visible portions of the reed beds and surrounding land.
Check for signs of dead patches of reeds within the beds.
Check condition of solenoid pits looking for damage to covers and water ingress.
Check condition of inlet piping and solenoid piping.
As far as possible, observe the spray pattern from lines within the reed beds.
Check control hut for damage or deterioration.

Check the historic data relating to operation of the lagoon I.E. inputs/outputs looking for anomalies suggesting leakage from the lagoon or poor operation.

Examination B
Carry out a visual examination, in particular:-

From within the reed beds, check health of the reeds and identify and dead areas.

Lift and jet clean all lateral lines from the solenoid pits.
Check and replace if necessary the spray heads on the lateral lines

Over the last 12 months improvement works have taken place on the reed beds. These have included new fencing, replacement nozzles on the distribution lines and feed pipes as well as weed control and replanting of sections. During the site tour the reed beds were visited and the new distribution lines and nozzles were evident. In replacing the nozzles and removing saplings and broad leaf weed control some areas of the bed needed to rejuvenate after this work. The operator explained the operation of the reed bed system and the maintenance which is undertaken routinely on a visual basis and a copy of the checklist was provided prior to going on site (opposite). During the last visit work on a new cable distribution hut was taking place and this was now complete and on site the operator explained how there are two reed beds and a lagoon which are used on a weekly basis with one week on and one week off for a rest period. The operator does not make a written record in respect of the checks and if anything is noted, this is raised verbally for rectification i.e. replanting or entered into the maintenance scheduler (MAXIMO) for corrective action.
It is clear that the maintenance checks are taking place and improvements have been made on the system which are welcomed by NRW.

Recommendation: It is recommended that the maintenance checks undertaken in respect of LPM 45 are documented to demonstrate that they are being undertaken in line with the Environment Management system linked to the environmental permit.

From the reed beds a check of the discharge point from the site was inspected. The operator was discharging at the time of inspection and the tide was out. From a visual inspection only it appeared to be a low flow and clear in appearance.

It was noted that there was some water evident in the bunds in the southern process area although not considered significant. The operator demonstrated the automatic system for emptying the bunds on the 4 most recently constructed raw material storage tanks which was very effective. A discussion was held here over the discharge of the water to the

hardstanding prior to entering the drain. The routine inspection of bunds and emptying of water to retain the 1110% capacity or checking for any loss of containment in the bund etc. was not explored further during this visit so it is recommended that this aspect is revisited during a future audit.

Conclusion

No breaches of the environmental permit were identified as part of this visit. However this report form documents a Category 3 score for a breach of the Ammoniacal Nitrogen emission limit value in the permit. Actions have been placed on the operator in this report regarding the on-going Ammoniacal Nitrogen issue which the operator and regulator is keen to seek a resolution on. The approach to the issue continues to be an agreed staged one in the absence of the revised best reference (BREF) document for the chemical sector.

AOB

The flood risk management - Flood Risk Map:

This was explored briefly with the operator on site and there appeared to be a problem viewing them on the NRW website. On return to the office KD accessed the maps via the following link:

https://naturalresources.wales/our-evidence-and-reports/maps/flood-risk-map/?lang=en

Flood Alerts

The operator raised a query over unsubscribing to the former Environment Agency Wales flood alerts due to notifications raising concern particularly out of hours. KD agreed to follow this up back at the office.

Action: KD to query the un-subscription of the flood alerts for the site. **COMPLETE**

KD actioned query with Simone Eade (NRW Flood Incident Senior Advisor) who advised that the operator has been registered since 2007 for the general flood alert. In is considered that this was in case of access /egress issues in the event of a flood as the site itself is outside of the flood warning area. The operator was therefore un-subscribed as queried and a letter sent to advise that the service has been cancelled.

ISO Container Storage & Transportation

The operator also raised an issue following up on a matter previously raised with NRW on the storage and transportation of ISO containers in respect of the COMAH regulations. Please be advised that KD took this matter as an action and has raised it with the COMAH inspectors in SW area for further investigation and clarification.

Raw Material Chemical Store

The operator also raised a query concerning the permitting of a raw material store in the form of a warehouse just outside of the installation boundary. On return to the office KD sought advice on this proposal. If the operator was planning to use the materials within their process and manage the facility this would fall under the definition of an installation and the site permit would need to be varied to incorporate the facility. If different parts of a single installation are operated by different operators, each part of the installation with a separate operator constitutes a separate regulated facility. Further information on environmental permitting can be found via the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/211852/pb13897-ep-core-guidance-130220.pdf

END

Cyfoeth Naturiol Cymru Natural Resources Wales	**Compliance Assessment Report**	**Report ID:** **CAR_NRW0026420**

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

Site	Llanelli Plant	Permit Ref	BV4223IE
Operator/Permit holder	Huntsman Corporation Uk Ltd	Date	18/08/2016

Section 3 – Enforcement Response **Only one box 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)

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			
		Action: Operator to review the original H1 risk assessment tool and undertake an up to date one to incorporate Ammoniacal Nitrogen. Once complete to provide a copy to KD.	30 November 2016
		Action: Operator to send KD an e-mail with the proposal for a variation for a mass-based limit as previously queried through former inspectors. The e-mail should provide the supporting information that the operator proposes for consideration by the NRW regulated industry permitting team.	30 November 2016
		Action: KD to review the Compliance Classification Scheme (CCS) guidance NRW are working to and the rules on suspending scores. **COMPLETE**	N/A
		Action: Operator to speciate the weak effluent to identify the ammonia compound e.g. through mass spectrometer or GCMS to identify if it matches Ammonical Nitrogen NH3N – NH4N or a complex compound and to report the results to NRW.	30 November 2016
		Recommendation: In light of the likely reduction on the ELV from the current 100mg/l Ammoniacal Nitrogen in the future through the implementation of the CWW horizontal BREF. Operator to consider biological treatment for the weak effluent stream.	N/A
		Recommendation: It is recommended that the maintenance checks undertaken in respect of LPM 45 are documented to demonstrate that they are being undertaken in line with the Environment Management system linked to the environmental permit.	N/A

		Recommendation: Operator to review the checklist proforma and consider a comment / observation box for each area checked to document any observations e.g. concrete degradation around drains that will need addressing.	N/A
		Action: KD to query the un-subscription of the flood alerts for the site. **COMPLETE**	N/A

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 (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 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.