

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

Site	Valero Refinery Pembrokeshire		Permit Ref	QP3033LW (as amended)		
Operator/ Permit holder	Valero Energy Limited					
Date	20 October 2015		Time in	13.00	Out	15.30
What parts of the permit were assessed	See below					
Assessment	EPR - inspection	EPR Activity:	Installation	X	Waste Op	Water Discharge
Recipient's name/position	Neil White, Environmental Engineer, Valero Energy Limited					
Officers names	DMP Broom, J Walters and G Evans		Date issued	18/12/2015		

**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**

<b>a) Permitted activities</b>	1. Specified by permit	A	
<b>b) Infrastructure</b>	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	A	
<b>c) General management</b>	1. Staff competency/ training	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
<b>d) Incident management</b>	1. Site security	N	
	2. Accident, emergency & incident planning	A	
<b>e) Emissions</b>	1. Air	A	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
<b>f) Amenity</b>	1. Odour	N	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
<b>g) Monitoring and records, maintenance and reporting</b>	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	A	
	3. Maintenance records	N	
	4. Reporting & notification	A	
<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>	-	<b>Total compliance score</b> (see section 5 for scoring scheme)	-
------------------------------------	---	---	---

**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

### Site description

Valero produce a variety of petroleum products from crude oil. The products range from liquid gases such as propane and butane through gasolines to gas oils and kerosenes through to heavier products such as fuel oils. To produce these products they use a number of unit processes such as distillation, fractionation, isomerisation, cracking and alkylation to produce products that meet the required specification. The site also removes sulphur from the raw materials by conversion to hydrogen sulphide and its subsequent conversion to solid sulphur. The aqueous effluent processed within the refinery is treated with oil separation and biological treatment to reduce the impact of the refinery on the receiving Haven waterway. Some gases and oils are burnt on site to produce power to operate the refinery.

### Purpose of visit/assessment

To discuss the draft Regulation 60 response from Valero about their combustion plant and to briefly review progress with their IED work.

### Person(s) present (Office based)

<b>VEL</b>	Neil White	<b>NRW</b>	Mark Broom
	Clare James		G Evans
	Tom Day (IED)		J Walters

### Background

Natural Resources Wales issued information notice under Regulation 60 of the Environmental Permitting Regulations for Valero to supply information about their combustion plant. This information is need to complete and issue a variation to implement the requirements of the Industrial Emissions Directive to the large combustion plants operated on site. This variation has to be in place by 1/1/2016. The response is due to be submitted to NRW by 6 November 2015.

Valero have answered the points in the notice. They are looking to have a 'job aid' to cover the detailed aspects such as how they monitor their releases, how they will manage the various limits such as the daily dynamic limit for NOx and particulates. They will refer to this job aid on their responses. They have also looking to use three criteria for start-up and shut-down. The criteria discussed were temperature, gas flow and the operation of the amine recovery unit (ARU).

Valero have managed to find a way of measuring fuel flows so that the operators know what the hourly limits will be and that way Valero should be able to comply with the dynamic daily limit values which will change due to varying fuel usages.

The reporting of the combustion pants has not yet been fully defined by the combustion sector. It is likely to be quarterly reporting of releases in a similar manner to the current requirements but with some form of reporting to cover the daily limit values.

Valero are continuing to write responses for each of the refinery BAT conclusions. Once allocated and written, the responses are being reviewed by the plant and then finally signed off.

While the VDU Sour water stripper off gas system is being routed to the SRU and the system is being commissioned, the ELVs should not apply. A reasonable period of continuous running period for proof of performance would be 30 days.

## **Other issues**

### CDOIF risk assessments

The COMAH CA is looking at requiring full CDOIF risk assessments within six months of the new guidance being published for those sites without an agreed secondary and tertiary plan. For these sites that do not currently have an agreed plan, there will be a further six months in which they will have to develop a plan for reducing the risks to acceptable levels to meet the CA strategy for secondary and tertiary containment compliance date of 2028.


### IED issues

Several draft BAT conclusions submissions were briefly reviewed. These compare well with the approach taken with Tata Steel in Port Talbot. This approach uses the fact that if the submission says that the site can comply no supporting data is needed to demonstrate compliance. Once past the BAT Conclusions compliance date in 2018, then NRW will assess compliance against the conclusions as part of the routine NRW regulatory work.

## **Conclusions**

The approach of a review of the draft helps reduce queries and makes the EPR permit easier to complete. A similar approach is planned to be taken with the BAT conclusions.

[END OF SECTION 2]

	<b>EPR Compliance Assessment Report</b>	Report ID: 6047
--	---	-----------------

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

Site	Valero Refinery Pembrokeshire	Permit	QP3033LW (as amended)
Operator/ Permit	Valero Energy Limited	Date	18/12/2015

**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.	n/a
--	-----

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.	n/a
--	-----

We will now consider what enforcement action is appropriate and notify you, referencing this form.	n/a
--	-----

**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 <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**.