

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

Site	Pembroke Refinery	Permit Ref	YP3930EX		
Operator/Permit holder	Valero Energy Ltd				
Regime	Installations				
Date of assessment	05/02/2018	Time in	11:30	Out	14:00
Assessment type	Report/Data Review				
Parts of the permit assessed	See below				
Lead officer's name	Broom, Mark				
Accompanied by	Paul Gibson, Sharon Luke				
Recipient's name/position	Neil White/ Environmental Engineering Manager	Date issued	15/02/2018		

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. 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
<p><b>KEY:</b> See Section 5 for breach categories, suspended scores will be indicated as such.  <b>A</b> = Assessed or assessed in part (no evidence of non-compliance), <b>X</b> = Action only,  <b>O</b> = Ongoing non-compliance, not scored.</p>		

<b>Number of breaches recorded</b>	<b>0</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>0</b>
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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

Participants - Representatives from Valero Energy, ERM, Pembrokeshire CC and NRW.

### Meeting aims

The aim of the meeting was to review the CHP planning and permitting process. The main points were that VEL and their consultants, ERM, took a collaborative and twin track (simultaneous) approach to their applications for a Development of National Significance (DNS/planning) and their EPR permit. This collaborative approach combined with the good community engagement resulted in this application being the first approved DNS in Wales and one that could be used as an example of how to twin track the DNS and EPR permit applications using a collaborative engagement with the parties involved in the DNS process and the use of wider community engagement.

A direct outcome from this application is that NRW has used this application as an example of the joined-up approach for planning issues within NRW especially with the agreement of the statements of common ground needed for the DNS approval.

The permit was issued in October 2017 followed by the DNS approval in December 2017. There were two preoperational conditions and two improvement items in the permit and 6 planning conditions associated with the DNS approval.

### Project status

The project is on track to meet its ambitious 2020 deadline. The old workshop has been demolished. The pre-operational noise condition has been submitted to NRW and approved. Noise monitoring will be looking for tonality, diurnality, weekly variance and seasonality to the background noise levels. The winter seasons round of noise monitoring has been completed and the results are being assessed before submission to NRW. Initial results show there is some tonality in the higher than base line noise levels. However, any findings need to be reviewed by NRW for detailed assessments and comment.

The CHP environmental group can meet on an ad hoc basis depending on issues encountered while the project moves into its implementation phase.

### AOB

After the CHP project review there was a short discussion about Valero and ERM's work on environmental risks. Valero and their contractor ERM have been looking at their environmental risks from their operations. They have been analysing the risks and benefits from strategic investments such as measures to reduce the impact from catastrophic tank failures that potential impact surface waters and alternatives to under tank liners. Any approach needs to be risk based, auditable and agreed with the Regulator.



## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0032846**

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### 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 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 fifteen 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](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 607 0987.

#### Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.