

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	25/09/2017	Time in	09:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	See below				
Lead officer's name	Broom, Mark				
Accompanied by	Janet Viney, HSE, Alan Strawbridge, HSE				
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
KEY: See Section 5 for breach categories, suspended scores will be indicated as such. A = Assessed or assessed in part (no evidence of non-compliance), X = Action only, O = Ongoing non-compliance, not scored.		

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

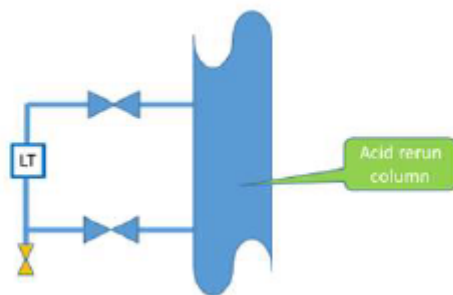
Karen Muehlbauer

David Heath

Tony Batt

On Friday 1 September 2017, there was a release of hydrofluoric acid from the Valero refinery.

An inspection in May 2017 identified that a carbon steel nipple on a level instrument on the acid rerun column 04F108 required replacement. On Friday 1 September 2017, the access scaffold was being built for the nipple replacement work to be completed. While moving to the exit of the platform one of the scaffolders inadvertently knocked the valve handle on the level instrument drain valve. The scaffolding crew evacuated the unit and attended the site Medical Centre and then went to the local hospital as a precaution. After 4 hours of observation, they were released without treatment and all returned to work as usual on the following Monday.



Since then Valero have estimated that the event released around 135 kg of HF and 225 kg of hydrocarbons. This event was reported to HSE under RIDDOR paragraph 27 – (RIDDOR 2013 Schedule 2, Part 2) as it met the criteria of being –

- 27 an unintentional release or escape of any substance which could cause personal injury to any person other than through the combustion of flammable liquids or gases.

Details of this event were emailed through to NRW on 11 September 2017. It contained the

following text –

As discussed in our meeting on Thursday 7th September, please see below the description of incident as was reported to the HSE regarding the loss of containment.

A loss of containment (LOC) occurred at 09:35hrs on Friday, 1 September in the Cracking and Olefins Complex whilst erecting scaffold to an instrument bridle on the Alkylation (Alky) unit re-run column 04F108. The automated detection and isolation system was activated. Operator response initiated de-pressuring of the re-run column to flare. The release was contained onsite. No injuries were reported. As a precaution three individuals were sent to hospital, but were released without treatment

Conclusion

This event is one that should be investigated as a routine COMAH investigation.

This event does show the need for aligning the Valero, RIDDOR and EPR reporting criteria to the EPR implied reporting criteria in EPR 2016, Schedule 5 Paragraph 20 –

20. Every environmental permit in relation to a regulated facility to which Schedule 7, 13 or 14 applies is deemed to contain the following conditions, unless such conditions are included in the permit—

(a) in the event that the operation of a regulated facility gives rise to an incident or accident which significantly affects the environment, the operator of that regulated facility must immediately—

(i) inform the regulator,

(ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and

(iii) take the measures necessary to prevent further possible incidents or accidents;

(b) in the event of a breach of any condition of a permit, the operator of a regulated facility must immediately—

(i) inform the regulator, and

(ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;

(c) in the event of a breach of any condition of a permit which poses an immediate danger to human health or threatens to

cause an immediate significant adverse effect on the environment, the operator of a regulated facility must immediately suspend the operation of the regulated facility or the relevant part of it until compliance with the condition of the permit has been restored.

NB the pollution, other than in relation to a water discharge activity or groundwater activity, is defined in these regulations and means any emission as a result of human activity which may—

- (a) be harmful to
 - i) human health or
 - ii) the quality of the environment,
- (b) cause offence to a human sense,
- (c) result in damage to material property, or
- (d) impair or interfere with amenities or other legitimate uses of the environment

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032177**

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Operator/Permit holder	Valero Energy Ltd	Date	25/09/2017

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. 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.