

Compliance Assessment Report

Report ID:
CAR_NRW0033510

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

Site	Mostyn Chemical Works	Permit Ref	BU2357IP		
Operator/Permit holder	Mostyn Chemical Works				
Regime	Installations				
Date of assessment	15/06/2018	Time in	10:00	Out	12:30
Assessment type	Report/Data Review				
Parts of the permit assessed	Compliance assessment discharges to surface water W1 and site update				
Lead officer's name	Oakes, Ian				
Accompanied by					
Recipient's name/position	Peter Bryant/ Health, Safety, Environment and Security Manager	Date issued	20/06/2018		

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
E3 - Emissions - Surface water	C3	Condition 2.2.2, Table 2.2.4
	C3	Condition 2.2.2, Table 2.2.5

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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

1. Compliance assessment - Surface water discharges from emission point W1

a). Condition 2.2.2 Emissions to water - Table 2.2.4 - Discharge window breach - CCS 3

06/05/2018 Discharge window two hours after high tide for two hours. 999m3 was discharged over 84 minutes with 46 minutes beyond the discharge window, effluent within consent limits. Cause believed to be an error in transposing Mostyn Dock tide tables.

Action: Warwick to reinstate the automatic high tide identification system by 31 August 2018.

b). Condition 2.2.2 Emissions to water - Table 2.2.5 - Suspended solids breaches of 250 mg/l limit – consolidated CCS 3. Considered to be due to fungal hyphae. Informed that the effluent tanks are to be cleaned out during a site shutdown before end June 2018. All other parameters in consent.

11/05/2018, 12/05/2018, 13/05/2018 breaches of 572 m3 at 286 mg/l, 572 m3 at 314 mg/l and 776 m3 at 270 mg/l respectively. 21/05/2018 breach of 850 m3 at 393 mg/l. 28/05/2018 breach of 997 m3 at 290 mg/l and 13/06/2018 breach of 1,183 m3 at 411mg/l.

Investigations indicate that there had not been any significantly high solid readings from the MCERTS turbidity monitor with respect to process losses (fungal hyphae proving largely transparent) or any corresponding loss of containment. Warwick is reluctant to increase chlorine dioxide dosing as any residual would also increase and is actively looking at options to prevent or minimise.

Action: Warwick to summarise efforts to minimise fungal hyphae including options to reduce in future and submit a report to Natural Resources Wales (NRW) by 31 August 2018 (including frequency of effluent tank clean outs as previously September 2017).

2. Site meeting 15 June 2018 with Peter Bryant and Bonnie Morgan – main points:

a). General discussion around efforts to reduce fungal hyphae following on from the above breaches and resulting action on Warwick.

b). Discussed draft minor technical variation to reinstate A3 emission point to air and a change to the emission point on W1 outfall due to the outlet being heavily silted / blocked by shifting sandbanks. The latter will have an associated Improvement Condition to model the dispersion characteristics, review the assumptions made in the original application, determine the environmental impact and recommend the optimum discharge conditions.

c). The option to include a skid mounted gas fired boiler (or two) will likely be subject to the EU Medium Combustion Plant Directive and it is suggested that a proposal be submitted to NRW such that the permitting implications can be determined.

d). Potential new product introductions should be discussed with NRW as soon as is practicable to do so with due consideration of 'commercial in confidence' if required.

e). Lloyds ISO 9001 / 14001 audit is progressing well and approximately half way through the programme.

f). Lubrizol is to embark on a cultural training programme for all employees and will be a significant undertaking.

EPR Compliance Assessment Report

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Operator/Permit holder	Mostyn Chemical Works	Date	15/06/2018

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.

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.

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			
E3	C3	Warwick is working to reinstate the automatic high tide identification system by 31 August 2018.	31/08/2018
E3	C3	Warwick to summarise efforts to minimise fungal hyphae including options to reduce in future and submit a report to Natural Resources Wales (NRW) by 31 August 2018 (including frequency of effluent tank clean outs as previously September 2017).	31/08/2018

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.