

Compliance Assessment Report

Report ID:
CAR_NRW0020632

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

Site	Mostyn Chemical Works EPR/BU2357IP	Permit Ref	BU2357IP		
Operator/Permit holder	Mostyn Chemical Works				
Regime	Installations				
Date of assessment	07/06/2016	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	2.2.4, 4.1.2				
Lead officer's name	Oakes, Ian				
Accompanied by					
Recipient's name/position	Peter Bryant/ HSE Manager	Date issued	02/08/2016		

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
E1 - Emissions - Air	C3	2.2.4
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.1.2

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)	4.1
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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 - CCS3, Condition 2.2.4, Fugitive emissions of substances to air (site investigation from Part B submission):

07:30 hours, 02/03/2016, Acetic acid is produced on site from the separation of the acetic acid/acetic anhydride mixture that is distilled off during the TAED manufacturing process. The distillation unit pumps the acetic acid from the receiving vessel on the distillation plant to storage tank T058 (outside Plant 5) or to storage tank T010 and T011 (located in Tank Farm 1). The distillation unit had been pumping acetic acid to the Tank Farm 1 storage tanks during the night, the acetic acid destination was changed just before shift hand over ~06.45hrs and was now going into tank T058. The tank at that time was showing a volume reading of some 38 tonne – the tank capacity is 59.6 tonne. One of the operations staff was carrying out the first round of plant checks at about 07.20hrs when he detected an acetic acid odour and saw that there was material coming down the North side of tank T058. He activated the site alarm and radioed the central control room to divert the acetic acid back to the Tank Farm 1 storage tanks. The emergency response team mustered and set up a curtain monitor on the side of the tank to knock down any airborne emissions. Examining the management system information graphs for the different acetic acid destinations it has been determined that the quantity lost from the tank was between 200 to 300 litres. Investigations into the incorrect volume reading for the tank has identified that one of the brass fittings for the nitrogen bubbler has cracked and this was allowing some of the nitrogen back pressure to leak out which resulted in a lower tank volume indication.

The brass connections on the nitrogen bubbler level indication system on this tank have been changed for 316 stainless steel units. A works order has been put on the Mainsaver Maintenance system (D194731) to inspect all fittings/connections on the Tankmaster level systems on each raw material and process intermediate tank. All of the fittings for any instrumentation equipment that is currently being installed on site has been specified to be stainless steel. The high level detection system for this tank has been reviewed and it now has additional interlocking with the bubbler system and the independent high level system to shut the inlet valve to the storage tank. A review is being carried out on the level control systems and system interlocks for other storage tanks on site.

The material that was lost from the primary containment (tank T058) was captured in the secondary containment system – the plant 5 bund. The material collected in the bund had mixed with some residual rainwater from the previous night and could not be accurately measured. This was pumped out from the bund area and then automatically neutralised in the central collection chamber on site. The waste water tank that contained this material was discharged with all the determinants within the emission consent limits.

2 - CCS4, Condition 4.1.2, Reporting

Late submission of monitoring returns due March 2016 including emissions to air A3 - A7.

EPR Compliance Assessment Report

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Operator/Permit holder	Mostyn Chemical Works	Date	07/06/2016

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			
E1	C3	Review materials of construction for this and other duties.	30/06/2016
G4	C4	Ensure monitoring returns are submitted on time.	30/06/2016

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 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.