

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

|  |  |               |                 |            |                  |       |
|--|--|---------------|-----------------|------------|------------------|-------|
| Site                                   | Mostyn Chemical Works  |               | Permit Ref      | BU2357IP   |                  |       |
| Operator/ Permit holder                | Warwick International Limited  |               |                 |            |                  |       |
| Date                                   | 07/11/2013   |               | Time in         | 06:00      | Out              | 00:00 |
| What parts of the permit were assessed | Suspended solids emission to surface water - Schedule 1 Notification |               |                 |            |                  |       |
| Assessment                             | Report/data review   | EPR Activity: | Installation: X | Waste Op:  | Water Discharge: |       |
| Recipient's name/position              | Peter Bryant - EHS Manager   |               |                 |            |                  |       |
| Officer's name                         | Ian Oakes  |               | Date issued     | 04/12/2013 |                  |       |

**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**

| a) Permitted activities                              | 1. Specified by permit                               | N  |                 |
|--|--|----|-----------------|
| b) Infrastructure                                    | 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                               | N  |                 |
| c) General management                                | 1. Staff competency/ training                        | N  |                 |
|  | 2. Management system & operating procedures          | N  |                 |
|  | 3. Materials acceptance                              | N  |                 |
|  | 4. Storage handling, labelling, segregation          | N  |                 |
| d) Incident management                               | 1. Site security                                     | N  |                 |
|  | 2. Accident, emergency & incident planning           | N  |                 |
| e) Emissions   | 1. Air   | N  |                 |
|  | 2. Land & Groundwater                                | N  |                 |
|  | 3. Surface water                                     | C3 | 2.2.2.4, T2.2.5 |
|  | 4. Sewer   | N  |                 |
|  | 5. Waste   | N  |                 |
| f) Amenity   | 1. Odour   | N  |                 |
|  | 2. Noise   | N  |                 |
|  | 3. Dust/fibres/particulates                          | N  |                 |
|  | 4. Pests, birds & scavengers                         | N  |                 |
|  | 5. Deposits on road                                  | N  |                 |
| g) Monitoring and records, maintenance and reporting | 1. Monitoring of emissions & environment             | N  |                 |
|  | 2. Records of activity, site diary, journal & events | N  |                 |
|  | 3. Maintenance records                               | N  |                 |
|  | 4. Reporting & notification                          | N  |                 |
| h) Resource efficiency                               | 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 (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

|                                    |   |   |   |
|------------------------------------|---|---|---|
| <b>Number of breaches recorded</b> | 1 | <b>Total compliance score</b><br>(see section 5 for scoring scheme) | 4 |
|------------------------------------|---|---|---|

If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

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## 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

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Scheduled notification Part B indicates a significant contribution from fungal hyphae, as replicated below:

Average solid content was 362mg/l over the two hour discharge period, 02.42hrs to 04.42hrs. The total volume discharged was 1053m<sup>3</sup>. The pre-discharge sample from tank 2 indicated that the solid content was high. This was re-sampled and gave a result of 214mg/l. Although this is high it is below the emission limit and the pre-sample has been, historically, higher than the final discharge result.

There had been no indication on the turbidity meter located in the central collection chamber that there had been incidents of high solid material being pumped down to the hold tanks during the tank collection period and there had been no independent reports from any of the production plants of any loss of containment or other incident. The monitoring equipment in the central collection chamber and in the outfall pipe had been cleaned and calibrated two days prior to this incident.

The discharge was carried out automatically as normal and only when the composite sample, made up from multiple collections during the discharge, was analysed was the solid content known to be above the emission limit.

Further analysis (ash test, microscopic examination) of the solid has shown that the majority of the solid material was fungal hyphae. This fungal material is not easily identified by the turbidity meters currently installed in the waste water treatment plant system. Looking at the graphical profile of the solid content in the discharge it is seen that the solid content goes up at the very end of the discharge indicating that material that had settled out at the base of the tank had been caught up in the 'swirl' as the material was exiting the tank and had adversely affected average of the composite result.

The analysis of the composite sample did not show any process material, all other emission parameters of the discharge were below the consent limits.

The chemical dosing system for the Mostyn water has been adjusted to provide 5% free chlorine dioxide to treat/kill any incoming fungal hyphae. The operation of the DAED bund has changed and the area is now kept as dry as possible. This has reduced the possibility of any fungal hyphae growing in the relatively stagnant water and then passing on into the site drainage system. The sampling schedule set up to monitor the fungal hyphae levels at a number of locations on site is still on-going and has shown a reduction in a number of areas.

Holding tank 1 was cleaned out on 01/11/2013 following the recent high algal hyphae content in the discharge, holding tank 2 is being cleaned out within the next couple of days.

The operator is asked to review these measures to minimise any hyphae contribution and measures in general to minimise process solids.



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|                  |                               |        |            |
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| Site             | Mostyn Chemical Works         | Permit | BU2357IP   |
| Operator/ Permit | Warwick International Limited | Date   | 07/11/2013 |

**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. | <input type="checkbox"/>            |
| 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.                 | <input checked="" type="checkbox"/> |
| We will now consider what enforcement action is appropriate and notify you, referencing this form.   | <input type="checkbox"/>            |

**Section 4- Action(s)**

Where 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 |              |  |            |
| E3                  | C3           | Operator to continue to monitor provisions to prevent recurrence (ref section 2) | 31/12/2013 |

## 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 the Natural Resources Wales (NRW) to fulfill 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 (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.

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 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 607 0987.