



EPR Compliance Assessment Report

Report ID: BU2357IP/0223137

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	02/10/2014		Time in	10:00	Out 15:30
What parts of the permit were assessed	Compliance, site developments, permitting, management of change, environmental aspects and site inspection.				
Assessment	Audit	EPR Activity:	Installation	X	Waste Op
					Water Discharge
Recipient's name/position	Peter Bryant - SHE Manager				
Officer's name	Ian Oakes		Date issued	03/11/2014	

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

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	C3	C2.3.5
	2. Closure & decommissioning	A	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	A	
	2. Land & Groundwater	N	
	3. Surface water	*C3	C2.2.2.4, T2.2.5
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	NA	
	4. Pests, birds & scavengers	NA	
	5. Deposits on road	NA	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	A	
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

Number of breaches recorded

2

Total compliance score
(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

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.

1. Compliance summary (further detail provided below).

CCS3 Maintenance condition 2.3.5 Tank Farm 2 bund 7 September 2014 leak identified from a transfer line flange of acetic acid / acetic anhydride estimated at 10 tonnes including rainwater (material later recovered). Mild steel bolts (legacy issue) replaced with stainless steel as per company standard.

CCS3 Solids breach condition 2.2.24, Table 2.2.5 of 266 versus 250 mg/l at 758 m3 on 19 August 2014 due to fungal hyphae in the two 2000 m3 balancing tanks subsequently cleaned out. Score suspended as action plan in place.

2. Process Safety Improvement Notice has been signed off by HSE.

3. Acetic anhydride storage occupied buildings risk assessment (OBRA) has been completed by ABB version 1 dated 18 September 2014. To be followed up should acetic anhydride tank T001 be moved from Tank Farm 1 to Tank Farm 2 (TF2), which is closer to the Dee Estuary. Scope and costing for relocation of T001 and the refurbishment of the whole of TF2 has been completed dated 18 September 2014 for inclusion in 2015 budget. To be reviewed Q4 2014 for potentially January - July 2015 build. Intervention topic with HSE end October 2014. Site process control room has already been moved to Admin 2.

4. Sustainable Direction / Warwick's 'Dalkia Biomass Application' public session / exhibition (1 - 8 pm) was held in early July 2014 with 25 - 30 visitors attending. The project was met with a mixed reception and was reported in the local press. Warwick met with Mostyn Town Council 17 March and the FCC Planning Committee visited the site 21 July. Warwick's partial surrender was received 30 September and Sustainable Direction's Dalkia Biomass application determination has been extended to 31 December 2014.

5. The commissioning of the Olympian II Project's AED Plant is now expected to be completed in Q4 2014. This has implications for the continued operation of emission point A3 instead of closure (plant 6 scrubber vent) and the proposed change of use of emission point A20 (from DAED phase I scrubber to AED recycle plant scrubber). These changes have not taken place as required under variation BU2357IP/V012 issued 23 December 2013. Warwick have requested that these changes be subject to condition 1.5 (minor operational changes) in that they be allowed to continue under exactly the same permitting conditions as were in place prior to issue of variation V012 (confirmed by Email received 10 October 2014). Natural Resources Wales (NRW) considers this proposal to be acceptable until such time that these changes have been made and NRW notified in writing. To be reviewed Q1 2015.

6. The future monitoring of emissions was discussed. These are subject to BU2357IP/V012 improvement condition 1.4.1.10 'The operator shall, within 6 months of successful plant operation, submit a report in writing to NRW to make a proposal for a reduction in emission limits where changes in processes on site mean actual emissions of substances are far below limits currently in the permit.'

7. Fungal hyphae continues to result in occasional breaches of suspended solids. The latest CCS3 minor non-compliance has been suspended in response to the actions taken by the site to address the issue. The balancing tanks have both been cleaned out in February, May, July and September and are expected to be once again before the end of the year. All efforts are being made to minimise growth with consultant Feedwater investigating the impact of Ph. Analysis of filtered and unfiltered effluent gave very little difference in COD, with the filtered marginally lower. Data to be forwarded to Feedwater for comment. Chlorine dioxide is currently dosed at 5 ppm at the incomer with no plans to dose the central collection system, which would require NRW approval.
8. The trial use of fire fighting foam in the fire detection and prevention system is to be looked at after the commissioning of Olympian II. Warwick are awaiting a response from Welsh Water with respect to disposal of used foam to foul sewer (and any future fire water run - off). Consideration is to be given to the distance between the bunds and the sewer access points, which are predominantly on the administration side of the site.
9. Flood defence repairs have been completed along the fence line above the high water mark.
10. W1 outfall inspection risk assessment is currently being revised by Hughes Sub Surface Engineering Limited to take into account the new RWE windfarm pontoon (the low estuarine visibility). The next dive will be in 2015 and needs to be coordinated with the Mostyn Harbour Master.
11. The site groundwater monitoring boreholes are currently sampled biannually and will continue to be so.
12. The upgraded mill race pipework has not been affected by some localised land slips and is considered to be a big improvement.
13. The EMS and management of change will be updated as changes occur with respect to Olympian II and Biomass CHP projects.
14. On site Buddleia removal proposals have been discussed with NRW conservation and the best way forward for well established growth is to chain saw to ground level and to treat the stump with glyphosate.
15. NRW received a noise complaint via Flintshire County Council on 15 September 2014. The noise was described as general background noise with what sounds like vents opening and steam being released and was worse during the evenings and nights. NRW discussed with complainant who said the site had been noisier over the past few months but had returned to a more normal level within a week. The site investigated and reported that plants can be noisier on start up and there have been problems with the sensitivity or alarms. The site alarm system has recently been overhauled to reduce alarms / shutdowns and is being monitored closely.
16. The loss of containment of acetic acid / acetic anhydride on the 7 September has been subject to root cause analysis. The loss of containment through the flange was a consequence of using mild steel nuts and bolts, which had wasted due to the flange weeping. The site had moved to stainless steel and had thought that all the lines had been changed out. The line has been checked over and any suspect bolts replaced, any remaining ones will be changed as soon as is practicable.
17. With respect to environmentally critical equipment the site is currently reviewing upgarding the maintenance management system, which will be completed by year end. To review on next site visit.



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Site	Mostyn Chemical Works	Permit	BU2357IP
Operator/ Permit	Warwick International Limited	Date	02/10/2014

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.

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.

X

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
B1	C3	Site to complete replacement of outstanding mild steel nuts and bolts with stainless steel.	31/12/2014
E3	C3	Site to assess the impact of hyphae from a BOD / COD perspective	31/12/2014

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 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 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. 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.