

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0026424**

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

|                              |                                                                                        |             |            |     |     |
|------------------------------|----------------------------------------------------------------------------------------|-------------|------------|-----|-----|
| Site                         | Mostyn Chemical Works<br>EPR/BU2357IP                                                  | Permit Ref  | BU2357IP   |     |     |
| Operator/Permit holder       | Mostyn Chemical Works                                                                  |             |            |     |     |
| Regime                       | Installations                                                                          |             |            |     |     |
| Date of assessment           | 29/09/2016                                                                             | Time in     | N/A        | Out | N/A |
| Assessment type              | Check Monitoring/Sampling                                                              |             |            |     |     |
| Parts of the permit assessed | Loss of containment of DAED/Acetic anhydride slurry C2.2.4 and Emissions to air C2.2.1 |             |            |     |     |
| Lead officer's name          | Oakes, Ian                                                                             |             |            |     |     |
| Accompanied by               |                                                                                        |             |            |     |     |
| Recipient's name/position    | Peter Bryant/ Health, Safety and Environment Manager                                   | Date issued | 23/11/2016 |     |     |

### 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           | Condition 2.2.1 and Table 2.2.2 |
|                                          | C3           | Condition 2.2.1 and Table 2.2.2 |
|                                          | C2           | 2.2.4                           |

**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.

|                                    |          |                                                                     |           |
|------------------------------------|----------|---------------------------------------------------------------------|-----------|
| <b>Number of breaches recorded</b> | <b>3</b> | <b>Total compliance score</b><br>(see section 5 for scoring scheme) | <b>39</b> |
|------------------------------------|----------|---------------------------------------------------------------------|-----------|

**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. Loss of containment of DAED/Acetic anhydride slurry:

CCS2 - Condition 2.2.4 Fugitive emissions of substances to air - 26/04/2016 - Loss of containment of up to 17 tonnes of acetic anhydride slurry from tank T01 into secondary containment bund following failure of mechanical seal on pump P06.

Subject to on-going investigation by the COMAH Competent Authority (Health and Safety Executive & Natural Resources Wales).

### 2. Monitoring of emissions to air:

- i). CCS3 - Condition 2.2.1 and Table 2.2.2 - 19/07/2016 Plant 6 scrubber vent emission point A3 acetic acid exceedance 100 mg/m<sup>3</sup> versus 50 mg/m<sup>3</sup> limit. The cause is believed to be due to higher than normal operating levels in the intermediate tanks in Plant 6 as a result of maintenance requirements. Re-sampling has been carried out and a full clean down of the scrubber system was scheduled for September. In the future the full operation of the AED recycle plant will allow for the closure of Plant 6.
- ii). CCS3 - Condition 2.2.1 and Table 2.2.2 - 11/08/2016 incinerator stack emission point A14 heavy metals exceedance 0.64 mg/m<sup>3</sup> versus 0.5 mg/m<sup>3</sup> limit. The lead component at 0.51 mg/m<sup>3</sup> (usually at 0.01 mg/m<sup>3</sup>) is the main contributor to the exceedance with no obvious source identified. The incinerator has been suffering some feed line and filter blockages when feeding back stored material that has caused some disruption to the monitoring process. Repeat monitoring for heavy metals was scheduled for September.

NB: Please provide the results of the repeat monitoring.

## EPR Compliance Assessment Report

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|                        |                                       |            |            |
|------------------------|---------------------------------------|------------|------------|
| Site                   | Mostyn Chemical Works<br>EPR/BU2357IP | Permit Ref | BU2357IP   |
| Operator/Permit holder | Mostyn Chemical Works                 | Date       | 29/09/2016 |

### 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.

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

### 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           | Vigilance with respect to process and abatement plant.                                                                                                                                | 31/10/2016 |
| E1                  | C3           | Vigilance with respect to process and abatement plant.                                                                                                                                | 31/10/2016 |
| E1                  | C2           | Subject to an on-going investigation by the COMAH Competent Authority (Health and Safety Executive & Natural Resources Wales). Remedial actions on-going (action due dates may vary). | 31/12/2016 |

## 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](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.

#### Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.