

Compliance Assessment Report

Report ID:
CAR_NRW0022689

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

Site	Deeside Packaging Coatings EPR/BU7545IM	Permit Ref	BU7545IM		
Operator/Permit holder	The Valspar (UK) Corporation Ltd				
Regime	Installations				
Date of assessment	21/06/2016	Time in	10:00	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	Progress with actions from previous CAR forms				
Lead officer's name	Frost, Julia				
Accompanied by					
Recipient's name/position	Dudley Pritchard/ Site Manager	Date issued	28/07/2016		

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
A1 - Specified by permit	A	

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	0	Total compliance score (see section 5 for scoring scheme)	0
-----------------------------	---	--	---

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

Meeting held to discuss progress with the actions covered in the two recent CAR forms. Ref BU7545IM/0254286 and BU7545IM/0256845.

The SHE Manager left at short notice earlier in the year and as a result the Site Manager was not aware that a CAR form was sent in February until progress with the actions was chased by Natural Resources Wales.

Odour Management Plan

The odour management plan submitted by the Operator in late 2014 has now been updated to include progress with a number of the recommendations highlighted. Dispersion modelling has been carried out and further odour species detection is planned in the coming months.

A copy of the updated Odour Management Plan to be provided to Natural Resources Wales by 8 July 2016.

The Operator is advised to ensure that the two recently added emission points have been included in the odour management plan review.

Management of Change Procedure

The procedure has now been updated to ensure that impact of compliance on the environmental permit is considered in the planning stages of any change on site. The Site Manager is consulted on all changes on site, and will ensure that these have been considered before signing any off. It was recommended that the reference to the Environmental Permit be altered in the "change request check list" to make it clearer that it was not only emission points and volumes but all permit conditions that need to be considered.

COMAH Review

The Operator has confirmed that due to the recent changes in COMAH Regulations the site now needs to register as a lower tier site. This notification will be made by site by end June 2016.

It is recommended you review guidance note L111 - The Control of Major Accident Hazards Regulations 2015 available of the HSE website on the following link

<http://www.hse.gov.uk/pUbns/priced/l111.pdf>

Monitoring Returns

A number of documents have been resubmitted in response to the CAR form request.

Improvements have also been put in place with regards to the reviewing of results prior to submission. This will be reviewed in detail during future visits.

The 100 g/hr limit on VOCs has also been incorporated into the sites EMS.

Variation Application

The Operator is in the process of pulling the information together for a permit variation to include the new emission points.

The relevant application forms can be found using the following link:

The variation application should be submitted by the end of July 2016.

Solvent Emissions

A copy of the solvent management plan for 2015 shall be submitted to Natural Resources Wales by the 8 July 2016.

Site Walkaround

The yard area was inspected during the visit.

IBCs were again stored next to the grass verge. Whilst these were empty it is good practice to ensure that storage is only within the designated areas.

Internal approval is being sought to increase the bund around the tank farm, and install a new tank. It is recommended you refer to CIRIA 736 (Free download CIRIA website) titled *Containment systems for the prevention of pollution - secondary, tertiary and other measures for industrial and commercial premises* when designed the new system.

The Operator is also considering diverting the yard water to surface water rather than foul sewer.

The Operator is aware that permit variation will be required prior to implementation of these changes.

Maintenance was being carried out on the over head pipework from the tank farm into the factory.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0022689**

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

Site	Deeside Packaging Coatings EPR/BU7545IM	Permit Ref	BU7545IM
Operator/Permit holder	The Valspar (UK) Corporation Ltd	Date	21/06/2016

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.

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			

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.