



EPR Compliance Assessment Report

Report ID: BU7545IM/0198307

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

Site	Deeside Packaging Coatings	Permit Ref	BU7545IM		
Operator/ Permit holder	The Valspar (UK) Corporation Ltd				
Date	10/01/2014	Time in	14:00	Out	16:00
What parts of the permit were assessed	Follow up from OMA Audit and Odour Management				
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op
Recipient's name/position	Ann Bell / HSE Manager				
Officer's name	Lara Cubley	Date issued	22/01/2014		

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

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	A	
	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	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	C3	3.4.1
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
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	1	Total compliance score (see section 5 for scoring scheme)	4
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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.

Follow up from OMA Audit

Formal deputy for monitoring appointed, and MCERTS awareness training has been scheduled and will be completed shortly.

The Operator has undertaken a review of all monitoring locations to ensure conformance with M1. It has been confirmed that flow criteria demonstrate compliance with M1 despite this not being included in the monitoring report. The Operator has confirmed that monitoring points have had grommets placed to enclose the holes.

Measurement methods have been reviewed and the Operator's contractor has responded. Such findings and explanations are accepted as the most applicable to the site despite deviation from standard methods. The Operator's monitoring contractor reports that there is no UKAS certification available for VOC analysis due to the semi quantitative nature of the analysis. There is a slight discrepancy in that the permit requires a speciated method of analysis for VOCs when a mixture of volatiles are expected in the emissions.

The Operator's monitoring contractor confirmed that blank tubes had been employed but this was not documented in reports. Results from back up tubes had been misreported as had two sample results. The Operator's monitoring contractor has reportedly corrected the report and issued a revision.

The Operator reported the recent Permit breach using forms required as soon as this was pointed out. Procedures have also been updated to include the required reporting form and awareness of the requirements to report has been raised.

The Operator has responded fully and satisfactorily to address all issues raised in the OMA audit.

Odour

Odour complaints about the site have recently been received. The Operator has responded by producing an odour management plan and updated the original accident/incident form to include complaints about odour.

On the 2 January 2014, following an odour complaint, two Natural Resources Wales Officers attended the area around the perimeter of the site at 11:25hrs. No odour was detected directly up wind of the site; however, a solvent/paint like odour was detected in the service area directly down wind which could cause annoyance. The Operator has yet to identify which operations/emissions are causing odour episodes at the site. However, there are some emission points which are unabated and could thus constitute further appropriate measures which may need to be taken to prevent annoyance.

Amenity/Odour F1 - CCS3 - Such odour impact noted on the 02/01/14 constitutes a minor non-compliance with Permit Condition 3.4.1. The impact on the environment has currently been classified as minor. Depending upon the frequency of such events, odour intensity, duration and thus impact this may require re-assessment.

There doesn't appear to be a history of odour complaints at the site, however, there can be an underlying level of annoyance without complaints being made.

The Operator is advised to follow best practice guidance by investigating the cause of odour episodes and working with complainants to ascertain the operations causing odour annoyance. Regular monitoring has been proposed in the Odour Management Plan, although the frequency of this may require increasing so as to investigate the environmental impact of operations thought to be of highest risk.

Those conducting odour monitoring mustn't have become adapted to the odour, i.e. they can no longer smell the characteristic odour of their site.

The Operator is advised to formulate a list of all emission points and their current control measures with resultant environmental risk (see Sources/Releases/Impacts in Horizontal Guidance Note H4 Odour) as part of the odour management plan. This should enable him to identify those most likely cause annoyance problems which may require further appropriate measures to be taken.

The Operator must also undertake a review of equipment and operations to ensure all appropriate measures are being taken. Guidance on appropriate measures/BAT can be found in How to Comply with your Environmental Permit, and more specifically relevant, Sector Guidance note Speciality Organic Chemicals Sector (EPR 4.02) and BREF Production of Polymers. Findings of investigations, the likely highest risk emissions with respect to odour, and where appropriate measures are lacking will allow the Operator to see where improvements may be required.

Drainage changes

The Operator is planning to address pooling surface water in non-production area of NE car park by routing this into storm water drainage. This currently goes to soak away. This is perfectly acceptable.

The Operator plans to discharge reverse osmosis mains water concentrate to the Shotwick Brook via the pond. The Operator is advised that this will require some assessment and thus a permit variation. Information on the flow rate, likely volume, and quality of such water will be required to ensure that there is no environmental impact.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.



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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			
F1	C3	See main body of text. The Operator must investigate odour, ensure an assessment of impact is provided for all emissions in the odour management plan and that a review of appropriate measures is undertaken.	18/04/13

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.

