

	EPR Compliance Assessment Report	Report ID: BU7545IM/0254286			
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	10/12/2015		Time in	10:00	Out 14:30
What parts of the permit were assessed	Review of Odour Management Plan, General Update				
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op
					Water Discharge
Recipient's name/position	Philip Silver, SHE Manager				
Officer's name	Julia Frost		Date issued	15/12/2015	

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	tba	To be assessed – see report	
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	N		
	4. Sewer	N		
	5. Waste	N		
f) Amenity	1. Odour	A		
	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				

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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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.

Odour Management Plan

The main purpose of the inspection was to assess the improvements on site since the implementation of the Odour Management Plan at the end of 2014.

The Operator reported that they had received no complaints since the end of 2014.

Communication links between the Operator and the neighbouring business are now in place. A weather monitor station has now been installed on site to assist with the investigation of complaints.

A number of recommendations / comments were discussed in relation to the OMP:

1. *Table 5 - the first two sections of this table refer to "emissions from point sources", however only goes on to assess A1 and A2 and not the other emission points (A3 – A36).*
2. *Are any improvements planned to emission points A1, A2, A3 following the comments re dispersion (page 13)?*
3. *Section 4.7.3 highlights additional works that were proposed to be carried out. You were unable to update an update on these during the visit, please provide a written update.*
4. *The OMP states that sniff testing will be carried out on a daily basis around the factory boundary. It is recommended that regular checks are also made outside of the site boundary.*
5. *The Operator should ensure that appropriate personnel carry out the sniff testing (ie not Operatives who work in the process areas). Please refer to H4 for further advice on how to conduct the monitoring.*

The Operator advised that procedure "Accident Incident and Reporting DEE-PRO-025" covered the receipt of environmental complaints. It is recommended that this procedure be updated to make it clearer that it covers environmental complaints as well as the investigation of accidents and incidents. Whilst the associated "form 155" has been updated to cover odour complaints the procedure does not obviously cover it.

Resin Control Room

A new automated control room was installed at the resin plant in April 2015.

COMAH

The Operator is in the process of carrying out a review of the impact of the changes of the new COMAH Regulations. You advised that you do not currently have a Hazardous Substances Consent from the Local Authority. It is therefore advised that you also review the requirement for a consent under the Planning Hazardous Substances Regulations 2015 at your earliest opportunity.

Alternative Resins

The Operator advised that alternative resins to those within their initial application are now produced on site. Initial discussions were held regarding this in 2010, at which stage the Operator was advised that a variation to their permit would be required.

Please provide Natural Resources Wales with written details of these changes by 15 January 2016 so that advice can be given on the type of variation required and an assessment can be made as to any permit breaches. A separate CAR form will be done to cover this when the relevant information has been provided.

Site Walkaround

An odour was noted in various different places on the yard. The odour was believed to be arising from the activities being carried out in vessel SA1. Please clarify which permitted emission point(s) SA1 discharges to air via, what permitted emission point is located behind the vessel and what discharges out of this point. A sketch diagram may be a useful way to provide this.

At the time of the visit the odour was not noted off site.

The Operator is to carry out an investigation into the cause of the on-site odour and highlight any improvements required. The findings of this should be fed back to Natural Resources Wales by 15 January 2016. An assessment will be made on whether there have been any permit breaches on receipt of this information.

IBCs were stored next to the grass verge on the yard area (outside of the area marked for this). Whilst it is acknowledged that the IBCs were empty it is good practice to stay within the designated storage areas.

A number of windows were open in the coatings plant at the time of the visit. This has the potential to cause odour issues. This issue has previously been highlighted to the Operator. The Operator shall ensure that adequate control measures / procedures are in place to control fugitive emissions from site.

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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.	☐
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			

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.