

Compliance Assessment Report

Report ID:
CAR_NRW0032990

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	08/02/2018 - 06/03/2018	Time in	11:00	Out	12:30	
Assessment type	Report/Data Review					
Parts of the permit assessed	Improvement plan for odour					
Lead officer's name	McGregor-Andrew, Sian					
Accompanied by	Frost, Julia					
Recipient's name/position	Candice Aliasgar-Sankoomar/ SHE Manager	Date issued	09/03/2018			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. 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	A	
F1 - Amenity - Odour	C3 - Suspended	3.4.1
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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	1	Total compliance score (see section 5 for scoring scheme)	0
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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

Improvement Plan – odour

Following NRW's review of the submitted Dispersion Modelling Report V2 (ref. CAT-3349), additional stack design details for emission point A1 were sent to us on 09/02/2018 in support of a revised proposal for a stack height of 15m with an exit velocity of 15m/s, and the odour unit release rate was confirmed as being maintained at the existing levels with the increased velocity in a subsequent email dated 27/02/2018. It was agreed at a site meeting with myself and Julia Frost on 08/02/2018 that this new proposal should be incorporated into a revised improvement plan.

The improvement plan has been updated with new dates for completion of the installation of the proposed stack. The revised plan includes a requirement to monitor the new stack's performance for 12 months following installation and submit a report by 31st May 2019 assessing the efficiency of the stack in addressing the odour issues, along with a cost-benefit analysis for possible further abatement.

A signed copy of the plan is attached to this CAR form.

At the site meeting on 08/02/2018, a strong ethyl acrylate odour was noted outside the site boundary along Second Avenue to the west of the site.

The off-site odour is a breach of condition 3.4.1 scored as a CCS3 breach for minor environmental impact, the score is suspended for the duration of the current improvement plan.

Further scores associated to this off-site odour from the normal operation of emission point A1 will be suspended while the works specified in the plan are being carried out, to the agreed timescales.

NRW may remove the suspension and apply these scores if the planned improvements are not carried out, unless we have previously agreed to any changes in writing.

Change of ownership

Thank you for informing us that changes to the ownership of the company and any resulting change in signage at site displaying the name The Sherwin Williams Company do not reflect any change in the registered company or registered address of Valspar UK Corporation Ltd at this time.

If this changes in future, please inform NRW in writing within 14 days as specified in Condition 4.3.4

Annual monitoring and reporting

The following quarterly monitoring returns for emissions to air were submitted during 2017:

Q1 – January -March 2017 – received 13/04/2017

Q2 – April-June 2017 – received 24/07/2017

Q3 – July – September 2017 – received 16/10/2017

Q4 – October – December 2017 – received 22/01/2018

Monitoring of parameters as required by Condition 3.6.1 and Table S4.1 of Version 1 of the permit (issued

24/05/2007) was carried out and returns were submitted to the timescales required by conditions 4.2.1 and 4.2.2 of that version.

All monitored emissions were below the relevant emission limit values.

Monitoring and reporting for 2018 should be carried out in accordance with the requirements of version 2 of the permit, issued on 14/12/2017. The site's Environment Management System and related procedures and forms should be updated accordingly.

Annual reports were also received on 31/01/2018 for:

- water usage
- energy usage
- solvent emissions

It is noted that water and energy consumption have increased from previous years due to increased production and work activity at the site. Solvent emissions are lower as the Resin Plant emissions are not required to be included in this report.

Solvent Management Plan

A Solvent Management Plan report was received on 09/02/2018 as required by Condition 3.3.1. The total annual solvent emissions to air are compliant with the annual limit of 3% of the total organic solvent input. Total emissions were reported as 0.24% for 2017.

In relation to this report we note that the VOC Workbook recommends that either single or multiple 8-hour reference periods should be used for VOC emissions analysis, while the permit requirement is only for a 1-hour reference period. For future please review whether this short time period gives an accurate representation of the variability of VOC emissions throughout the 24-hour operation of the plant in light of the recommendations in Annex 2, Section A2.6.2 of the VOC Workbook, or whether an 8-hour reference period would be more appropriate.

There appears to be a number of minor errors in the report calculations outlined below, although overall these do not impact on the final total emissions figure. Please re-submit the report with the correct figures inserted by 31/03/2018:

- Table 6 - the text immediately below the table has the incorrect figure for F, however further calculations use the correct value, including the value for B in this section.
- Table 7, Value for O1.4 is incorrect, however the totals in this table are correct when the appropriate figure is used. The corresponding VOC as % input figure also needs revising. The text immediately below the table shows the incorrect figure for the Total Emissions.

EPR Queries.

With regards to your query about the EPR permit requirements for reporting I can confirm that you do not need to submit and 'Other Performance Indicators' reports in future. The Solvents Management Plan you are required to submit under Condition 3.3.1 and Table S3.4 provides the information previously contained on the old form. Reference to that form can be removed at the next permit variation.

The Annual Production Treatment parameter is intentionally blank, there was no requirement under the previous permit version and this remains the case going forwards.

EPR Compliance Assessment Report

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Operator/Permit holder	The Valspar (UK) Corporation Ltd	Date	08/02/2018

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			
F1	C3	Improvement plan for upgrading the stack at emission point A1 to address the odour is in place, please ensure works are carried out to the agreed timescales.	31/05/2018

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 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 fifteen 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.