| Cyfoeth Naturiol Cymru Natural Resources Wales | **EPR Compliance Assessment Report** | |
|---|---|---|

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

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Site | Whitchurch Salt Slags EPR/VP3030BX | | | Permit Ref | VP3030BX | | |
| Operator/ Permit holder | Befesa Salt Slags Ltd | | | | | | |
| Date | 05/02/2016 | | | Time in | 10:00 | Out | 16:00 |
| What parts of the permit were assessed | EMS Audit | | | | | | |
| Assessment | Site Inspection | EPR Activity: | Installation X | Waste Op | | Water Discharge | |
| Recipient's name/position | Adrian Platt | | | | | | |
| Officer's name | Matthew Kelk | | | Date issued | 07/03/2016 | | |

## 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 | A | |
| | **2.** Closure & decommissioning | N | |
| | **3**. Site drainage engineering (clean & foul) | N | |
| | **4**. Containment of stored materials | A | |
| | **5**. Plant and equipment | N | |
| **c)** General management | **1**. Staff competency/ training | A | |
| | **2**. Management system & operating procedures | A | |
| | **3**. Materials acceptance | A | |
| | **4**. Storage handling, labelling, segregation | N | |
| **d)** Incident management | **1**. Site security | N | |
| | **2**. Accident, emergency & incident planning | N | |
| **e)** Emissions | **1.** Air | A | |
| | **2**. Land & Groundwater | N | |
| | **3.** Surface water | N | |
| | **4**. Sewer | N | |
| | **5**. Waste | A | |
| **f)** Amenity | **1**. Odour | A | |
| | **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 | N | |
| | **2**. Records of activity, site diary, journal & events | N | |
| | **3**. Maintenance records | A | |
| | **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 |
|---|---|---|---|

**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.

An Environmental Management System (EMS) audit was carried out at Befesa Salt Slags Ltd by NRW officers Matthew Kelk and Aled Zachary on the 5th February 2016. The Compliance Assessment Report details the findings of the audit.

**Environmental Management System**

*Condition 1.3.1*

*The Operator shall implement and maintain a management system, organisational structure and allocate resources that are sufficient to achieve compliance with the limits and conditions of this Permit.*

a) Environmental Policy

Befesa has a comprehensive environmental management system, and are aiming to be recertified to the ISO4001 2015 EMS standard this year.

Befesa's environmental policy statement was provided during the audit, the document provides commitment to the protection of the environment and aim to go beyond compliance with legislation.

The policy is driven corporately by Befesa Group and a drive by the group to meet the ISO14001 standards. The environmental policy is reviewed annually.

b) Staff Resource

Staff resource was discussed during the audit. Due to recent staffing issues further resilience is being built into the QSE department. A laboratory analyst is being employed who has experience of environmental issues, this will aid the site if the QSE manager is absent for any reason.

c) Significant Aspects

A full aspects register has been compiled which details all the site's potential impacts to the environment. A scoring system has been used to rank the aspects register. Site were asked about the methodology for the compilation of the aspects register, the procedure for this was shown during the audit.

The legal register was shown for the site – this identified all relevant environmental legislation applicable to the site.

Recommendation

It is recommended that within the aspects register and associated procedure that environmental critical aspects that could affect the operation of the plant are listed.

d) Objectives

A document was produced showing the planned environmental objectives and targets for the Fenns Bank site for 2015.

Site were asked how the progress against the objectives and targets is tracked. The management from the aluminium division of the Befesa group meet once a month and an environmental review is carried out and this includes action tracking against objectives targets.

An annual review of the progress against targets and objectives is forwarded to NRW once a year.

**Complaint Investigation**

*Condition 2.3.7*

*Operator shall maintain and implement written procedures for dealing with non-compliance/incident investigation.*

An internal and external complaints procedure is used on site when complaints are reported, e.g. from public and/or NRW.

During normal week working hours the QSE department will investigate complaints and out of hours the Shift Manager. The complaints are logged within a site diary. An investigation form is generated during investigation of a complaint and includes the current weather condition from a weather mapping system Befesa use on site.

Befesa have recently changed their investigation form to remove parts which are not relevant and to include a tracking system for investigation.

If any issues are highlighted during investigation, this leads to corrective action being highlighted and this is then linked into the aforementioned management review.

Site have recently installed a new CCTV system which helps assist during complaint investigation, this system can be monitored externally by management via the internet.

**Permit Location**

*Condition 2.3.1*

*A copy of this Permit and those parts of the application referred to in this Permit shall be available, at all times, for reference by all staff carrying out work subject to the requirements of the Permit.*

Site hold an electronic copy of the permit. The QSE office have a copy of the original and associated variations.

A copy of the permit is also held in the control room.

**Training**

*Condition 2.3.2,*

*The Permitted Installation shall be supervised by staff who are suitably trained and fully conversant with the requirements of this Permit.*

*Condition 2.3.3,*

*All staff shall be fully conversant with those aspects of the Permit conditions which are relevant to their duties and shall be provided with adequate professional development and training and written operating instructions to enable them to carry out their duties.*

*Condition 2.3.4,*

*The Operator shall maintain a record of the skills and training requirements for all staff whose tasks in relation to the Permitted Installation may have an impact on the environment and shall keep records of all relevant training.*

All new starters are inducted and carry out a training validation questionnaire.

A training matrix is compiled by the Production Manager on site – detailing all the training requirements for the various members of staff on site and when staff are due for refresher training and/or new training.

Training packs for members of staff were shown for procedural training – these are signed off when staff have completed the training and questionnaire relevant to that procedure.

Contractors are inducted upon arrival on site, a copy of the contractor induction was shown during the audit.

**Maintenance**

*Condition 2.3.5*

*All plant and equipment used in operating the Permitted Installation, the failure of which could lead to an adverse impact on the environment, shall be maintained in good operating condition.*

*Condition 2.3.6*

*The operator shall maintain a record of relevant plant and equipment covered by condition 2.3.5 and for such plant and equipment:*

*Condition 2.3.6.1*

*A written or electronic maintenance programme: and*

*Condition 2.3.6.2*

*Records of its maintenance.*

Befesa use an electronic preventative maintenance system called Lima. This system coordinates all maintenance required on site. Maintenance schedules are entered for each item of process kit on site detailing how often they should be checked. The system then flags the actions that need to take place and will flag if those checks have not taken place. The production manager decides on urgency of maintenance required by Lima. The Lima system prioritises environmentally critical equipment.

The system is an ordnance system – so that critical spares can be held on site.

Befesa have their own dedicated engineering department.

**Procedural Review**

Befesa were asked about various operational procedures, in particular with regards to odour control detailed in Befesa's Odour Management Plan (OMP):-

a) Vehicle Inspection

Site were asked about the procedure used to check vehicles upon arrival to site. Waste notes are checked when lorries arrive on site with salt slags/spent pot liner and drosses. A visual check is carried out by the pre-treatment operator for moisture and heat. During the audit the Pre Treatment supervisor was interviewed and he ran through the process of raw material reception.

b) Roller Doors

Rollers Doors are used to mitigate against odour migration from plant, in particular from the Befesa Fine Aggregate (BFA) interim storage shed. The QSE carries out daily checks of the operational functionality of the roller doors. The shift manager ensures that doors are closed when not in use.

c) Scrubbers and Extraction System

Daily 2 hour checks undertaken on scrubber system to ensure optimum operation – operative in charge of scrubber pH checks interviewed – NRW officers asked operative to undertake a scrubber check whilst on site to run through the procedure.

d) Monthly Checks on Scrubber and LEV System

Monthly checks are carried out on the scrubbers and LEV extraction systems, this has now been contracted to ESG who also carry out the site's emissions testing.

e) Monitoring Odour Checks

Monitoring checks are carried out by QSE department staff, these sniff tests are carried out by staff that are not desensitised to odour. Odour diaries are available on site.

**Advice and Guidance**

- Discussions were held around the new SUDS system, site to submit plans to NRW for review by Natural Resource Management team.

- pH probes have been fitted to chemical scrubbers on site, these are to be linked to the SCADA control system imminently. It is recommended to install an alarm to the system that sounds when scrubber pH reaches a specified pH, giving advance warning that the scrubber isn't running at optimum performance. Site to consider fitting this by 7 May 2016

- During the site walkover a strong ammonia odour could be detected next to the gas treatment plant. After further investigation with the Plant Manager and Production Manager, it was established that a possible source was the air bubbler system that is used to avoid air ingress into the reactor. Plant Manager to further investigate, please provide investigation to NRW by 7 April 2016

- Discussions were held regarding the draft Non Ferrous BREF Guidance note, within the draft there are lowered emission limits for particulate matter. Site were questioned whether the bag plant stack would be

able to meet the new limits. Site to investigate further, in particular scrutinising past monitoring data. Site to report to NRW on this issue by 7 April 2016.

- Currently the conveyor in the interim storage BFA shed creates peaks in the BFA material when depositing the material to this area, consequently the door has to be opened to allow machinery in to move the peaks, this may allow odour to migrate whilst the door is open. Plant Manager mentioned that Befesa's sister site in Germany uses moveable conveyor which doesn't create peaks in the BFA material. NRW officers also confirmed that this technology has been seen in use at waste sites. Befesa are to investigate installing this technology. Befesa to report on feasibility of installing technology to NRW by 7 April 2016

- It has been previously discussed with the QSE manager whether any odour emissions could escape from the chemical plant and/or residual odour in the milling area (during wet weather), migrate to the milling area LEV and be removed via the milling stack. Site are to test the stack A1 for ammonia during the next monitoring round. Please forward results to NRW upon completion of monitoring.

- Befesa have previously mentioned installing loading tunnels adjacent to the interim BFA storage shed, which will help significantly with odour control from this building. This project has made progress, with plans shown for the loading tunnels during the audit. These are due to be installed late 2016/early 2017. It should be noted as this is a change to the permitted installation on site that this change will require a variation to the permit.

<u>Odour Complaints 24 and 25 January 2016</u>

Odour complaints were forwarded to NRW on the above dates. Investigation from site indicated that on the 25th January 2016 that the door on the interim BFA shed was opened between 17:20 – 17:35 to move material within this area. Site state that it is possible that odour could have come from the oxide area whilst material was being moved.

Operator and shift managers have been reminded of the procedure of checking wind direction and to delay moving material if possible.

It was discussed during the audit that these members of staff will receive further training RE: the above procedure. Please confirm when this training has been carried out.

| Cyfoeth Naturiol Cymru Natural Resources Wales | **EPR Compliance Assessment Report** | Report ID**:** |
|---|---|---|

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

| | | | |
|---|---|---|---|
| Site | Whitchurch Salt Slags EPR/VP3030BX | Permit | VP3030BX |
| Operator/ Permit | Befesa Salt Slags Ltd | Date | 05/02/2016 |

**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.