Compliance Assessment Report

Report ID:
CAR_NRW0026536

This form will report compliance with your permit as determined by an NRW officer					
Site	Whitchurch Salt Slags	Permit Ref	VP3030BX		
Operator/Permit holder	Befesa Salt Slags Limited				
Regime	Installations				
Date of assessment	29/09/2016	Time in	10:00	Out	16:00
Assessment type	Audit				
Parts of the permit assessed	All				
Lead officer's name	Kelk, Matthew				
Accompanied by	Ellis, Rhys				
Recipient's name/position	Adrian Platt/ Managing Director	Date issued	20/01/2017		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C1 - Infrastructure - Staff competency/training	A	
C2 - Infrastructure - Management system and operating procedures	A	
C4 - Infrastructure - Storage, handling labelling and Segregation	A	
F1 - Infrastructure - Odour	A	
F2 - Infrastructure - Noise	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

An audit was carried at Befesa Salt Slags, Fenns Bank, by Industry Regulation Officers Matthew Kelk and Rhys Ellis on the 29 September 2016, in particular looking at fugitive and point source controls within the chemical plant area of the site.

Yvonne Sheridon, QSHE Manager (YS) and Stuart Irvine, Plant Manager (SI) represented Befesa at the audit.

Improvement Conditions

The progress with the 2 improvement conditions on permit EPR/VP3030BX was discussed

Improvement Condition 17

The waste classification of the aluminium oxide is ongoing and to be submitted imminently, subsequent email received on 20 October 2016 from Adrian Platt, indicating that the classification will be submitted on 27 October 2016. This is still outstanding.

Improvement Condition 18

Wales Environmental have confirmed the existing drainage plan and sent a summary of their findings in a one page letter report.

As discussed during the meeting the submitted report does not satisfy Improvement Condition 18 in its present form. It was discussed that Befesa need to demonstrate that the site drainage is fully contained in particular the drainage within the chemical plant area of the site, i.e. that marked yellow on the submitted diagram. It is accepted that further work will be required to carry this out.

Action

Befesa to submit an action plan to include the works and timescales required to complete IC18 and submit by 1 December 2016.

EMS Impacts Register

Site produced an updated impacts register, which details all the sites significant environmental impacts, in particular the chemical plant was looked at and all aspects have been covered.

Training

Staff training has been undertaken for odour management awareness. A copy of the training package was shown during the audit and logs of training produced.

Scrubbers

Records were shown of the checks that are carried out on the sulphuric acid scrubbers and the BFA storage shed. The records show 2 hourly records, including pH levels and inactive ammonia levels leaving the scrubber stack are taken using a draegar tube.

Befesa have an internal action point of 3ppm Ammonia.

Recommendation

Recommendation made to add the time that draegar tests were taken on the record sheet.

There are plans that additional scrubber/s are to be installed in the future. As an additional emission point, this will require a substantial variation to your permit.

Maintenance

Site were asked about the visual checks that are carried out on efficacy of the extraction system, these are reported to the sites maintenance system (LIMA). PPM checks are also carried out on the recirculation on the scrubbers.

Site were asked how often the packing on the scrubbers are changed, this is carried out once a year.

Environmental Scientifics Group (ESG) has been recently awarded the contract for checking the flow rates of the scrubbers and the LEV systems, checks are made at agreed points on the system.

Online pH probes are now used which log the pH of the scrubber liquor and will report this to the SCADA system, an alarm is also set if the system goes out of optimum specification. Site were asked about calibration of the probes, the probes are changed out regularly and swapped with a calibrated one. There are several points where pH probes are, with at least one probe being changed a week.

Action

Forward records of the recent flow rate checks from ESG by 1 December 2016.

To send records of calibration for the each pH probe by 1 December 2016.

Odour Management Plan (OMP)

Under condition 3.4 (Odour Condition) Befesa are required to provide and implement an approved OMP. The OMP states 'Review requirements for loading tunnels for interim oxide storage area as a future improvement'.

Following ongoing discussion with site, a planning application is with Wrexham County Borough Council for the Tunnels. The requirement for installation of the tunnels will be included as an improvement condition in the upcoming permit variation for the EU Non Ferrous Metal BREF review. NRW request that the loading tunnels are added to the OMP as a 'definite' before final approval can be given for the OMP by NRW.

HSE&Q Action Log

YS run through the action log that is kept on site which details action that are required to be completed. The actions are reviewed and progress against completion are reviewed every 2 week with the site Managing Director.

Corrective action Procedure

Site were asked to run through the corrective action procedure, this procedure consists of 3 different levels: - an improvement opportunity, a corrective action and a non-conformance. The later level being when the site in breach of UK regulations or a permit condition.

Action forms were shown for each level, the timescales change for each one.

Objectives and Targets.

Objectives and targets were shown for the site, in particular for the SUDS system and Loading tunnels. Monthly progress is reported to the board.

Odour Complaints System and Daily Olfactory Monitoring

The procedure for logging and investigating an odour complaint was shown and this links to the odour investigations that are sent to NRW by site.

Befesa have indicated that complaints are hard to investigate when only Fenns Bank is written as the location on the complaint form sent from NRW Incident Communication Centre (ICC). Since the audit discussions have been held between the NRW site Regulatory Officer and ICC and the protocol for forwarding complaints to Befesa has been updated.

YS showed the diary that is used for the daily olfactory monitoring, this is carried out by lab staff in general.

A1 Ammonia Test Result

Befesa were asked by NRW to carry out monitoring for Ammonia on the exhaust stack from the bag plant. This was to ensure that any fugitive ammonia emissions from product in the milling area (when wet) and/or fugitive emission from the chemical plant was not being extracted to the bag plant stack. The monitoring returned Ammonia emissions of 1.6mg/m3, indicating relatively low levels of Ammonia leaving stack A1.

Site walkover

A comprehensive site walkover was undertaken. The following areas were discussed post walkover:-

The wet shaker and pump 19 are areas of improvement that have been identified in the chemical plant as possible sources of fugitive emissions.

Inside the chemical plant building there was a distinctive ammonia odour, there was concern that this fugitive odour could migrate through the grates in the roof of the chemical plant building and migrate off site when the right metrological conditions existed.

Discussed with plant manager to investigate testing the ammonia levels above the chemical plant. It was indicated that ammonia levels could be tested on the platform above the plant.

Action

SI to send results of ammonia levels on the platform above the chemical plant to NRW by 1 December 2016.

To indicate timescales for the replacement of the wet shaker and pump 19 to NRW by 1 December 2016.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0026536**

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Operator/Permit holder	Befesa Salt Slags Limited	Date	29/09/2016

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.