

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	22/02/2018	Time in	10:00	Out	16:00
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Kelk, Matthew				
Accompanied by	McGregor-Andrew, Sian, Starks, Madeleine				
Recipient's name/position	Yvonne Sheridan/ HSQE Manager	Date issued	26/03/2018		

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
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	
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
E1 - Emissions - Air	C3	3.2.1
E5 - Emissions - Waste	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	
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	
H1 - Resource Efficiency - Efficient use of raw materials	A	
H2 - Resource Efficiency - Energy efficiency	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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

An inspection of the plant was carried out by Industry Regulation Officers Matthew Kelk and Sian McGregor Andrew, Madeleine Starks attended for observation.

The following issues were discussed whilst on site:-

1. Storm Water Ditch

Discussions were held around the storm water collection ditch which drains water from the farmers field adjacent to the site.

Proposals were put forward for Befesa to collect water from the ditch and divert to a break tank on site to be used within the process.

Drainage from office car park could be diverted off site when needed to allow more freeboard within water storage lagoon. Site would need to separate this system completely from the main site and a cctv would be needed to prove that the car park drainage was not in hydraulic conductivity with the underlying groundwater.

Action

Befesa to put together a detailed proposal for diversion of storm water ditch water to the on site process.

2. Water sample from ditch

Historically samples have been taken by Befesa of a ditch that runs adjacent to the site and the nearby landfill. There is historically no record that this sample has been required by NRW or its predecessors and is not a permit requirement. As such NRW have no issue with this sample not to be taken by Befesa.

3. System Stock

Befesa were asked to supply evidence of stock sored on site, approximately 9000 tonnes of Salt Slag material and 2300 tonnes of Spent Pot Liner stored. These are all below the maximum waste storage thresholds specified by the permit.

4. Offload for incoming materials

The offload procedure for raw material was disussed and issues surrounding offload of raw material. All material is offloaded inside, only containerised loads are open outside to remove any packaging and then moved inside to offload. No raw materials are opened outside.

5 Offload procedure for Aluminium Oxide

Procedure for loading of aluminium oxide from the Befesa Fine Aggregate (BFA) Interim Store was discussed. The potential for odour and dust from the loading of lorries with BFA was reviewed.

Befesa were quizzed about the level of dust produced as the BFA product hit the trailer of the lorry, Befesa referred to this as more steam than dust. It was confirmed that occupational health and safety data from around the lorry area showed low levels of dust and ammonia.

Action

Befesa to provide copy of occupational health and safety data for ammonia and particulate matter, please forward to NRW by 26 April 2018.

It was stated that further investigation into ammonia levels for loading of lorries with BFA would be carried out as part of permit improvement condition 21 report.

Befesa has asked for an extension to the deadline for this report, due to the on-going permit variation determination by NRW for the new chemical scrubber installation on site. NRW will be able to agree a new deadline date upon completion of the permit variation determination.

6. Noise

Site have commissioned a noise report to ensure that plant is not causing any offsite nuisance to local receptors.

Action

NRW request that a copy of this report is forwarded so that we (NRW) can review the contents of the report. Please forward report to NRW by 26 April 2018

During the site walkover it was evident that components of the bag plant were emitting a high pitched squeal on occasion. This noise has the potential to migrate offsite.

Action

Befesa to forward action plan for the remediation of the noise emitted from the bag plant and forward to NRW by 26 April 2018.

7. New bund Arrangements

Following previous NRW audit, Befesa are constructing new bunding and installing several tanks static tanks in place of mobile tanks in the ammonium sulphate area. Rather than a walled bund a slope bund has been installed.

Action

Please confirm the calculations used to design the new bund and that it will be sufficient to hold 110% of the volume of the largest tank by 26 April 2018.

8. Waste

Following submission of waste classification for BFA as part of permit improvement condition 17, Befesa are repeating calculations following NRW's comments and have asked for further advice prior to carrying out these calculations.

We have the following comments to make:-

The alloys issue is addressed in WM3 but it is clarified to bring it into line with commission decision 2014/955/EU, please see WM3 Page A33.

17 04 11	codes other than those mentioned in 17 04 10	WM3
Note 'q': The term 'metal waste contaminated with' indicates that the metal waste itself is not considered in the assessment. Hazardous substances in paints, coatings or other contamination considered. Metal elements in alloys in massive form are generally excluded from assessment by List of Wastes.		
17 05	soil (including excavated soil from contaminated sites), stones and dredging spoil	

2014/955/EU has the following text "The concentration limits defined in Annex III to Directive 2008/98/EC do not apply to pure metal alloys in their massive form (not contaminated with hazardous substances). Those waste alloys that are considered as hazardous waste are specifically enumerated in this list and marked with an asterisk (*)."

NRW have reviewed the March 2017 document and Befesa have said that the waste under consideration predominately consisted

of Aluminium Oxide . NRW do not consider that it can be looked at as a pure metal alloy in massive form.

9. Fugitive Air Emissions (Ammonia)

An audit of fugitive ammonia emissions was undertaken during the site walkover using an ammonia meter. The following levels of ammonia were detected:-

- 21ppm outside doorway to the chemical plant,
- 10ppm outside the doorway to belt press room,
- 14ppm next to the site cooling tower,
- 10ppm next to the control room,
- 15ppm adjacent to the brine tanks.

It is accepted by Natural Resources Wales (NRW) that the emissions detected above will be significantly reduced following the installation of the new chemical scrubber and extraction system on the interim BFA store. As plans are in place for the reduction of the above fugitives, no compliance score has been given for these emissions.

Condition 3.2.1

Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

Further ammonia readings were taken by the gas treatment plant, in particular close to the water bubblers that stop air ingress into the reactors. In this area levels of 25ppm+ were detected.

Action

In the post inspection meeting it was mentioned that this was an area of improvement for fugitives emissions of ammonia. Befesa to forward an action plan for the mitigation of fugitive emissions of ammonia in this area by 26 April 2018

The aforementioned fugitive ammonia level, breach of condition 3.2.1, scored 1 category 3 score.

Further readings were taken in the milling plant and next to the pile of incoming raw material (salt slag/SPL)

For readings in the milling plant and raw materials area Befesa's own ammonia meter was used. Levels of 17ppm were detected in the milling plant and 15ppm next to the raw material bay.

Befesa stated that fugitive emissions in the milling plant will again be reduced following the installation of the new chemical scrubber.

The new chemical scrubber is to be installed imminently following determination of the permit variation for this plant. Permit variation currently being determined by NRW permitting team.

10. Leakage of Ammonium Sulphate

Condition 3.2.1

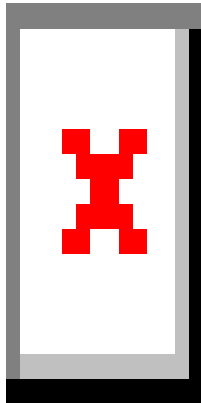
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Condition 1.1.1

The Operator shall manage and operate the activities:

a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operation, maintenance, accidents, incidents, non conformances, closure and those drawn top the attention of the operator as a result of complaints;

During construction of the new bunding arrangements in the ammonium sulphate area, a pipe joint had not been fully tightened by the contractors working on the project and it was evident that as ammonium sulphate was leaking into the bund. See photo below:-



Action

To review the procedure for the supervision of contractors on site, forward revision to NRW by 26 April 2018.

Breach of condition 3.2.1 and 1.1.1, scored one category 3 score.

11. Improvement Conditions

IC 19 and IC 20 submitted to NRW.

IC19 has been submitted to NRW. it is noted that this modelling has been used as part of the substantial variation application for the new scrubber installation and as such had been forwarded to the NRW air quality modelling team. Any comments by NRW on this modelling have been done as part of the permit variation application response.

IC20 - emissions for hydrogen sulphide and phosphine tested from stacks on site. Following the monitoring max H₂S level 0.77mg/m³, as such will be kept as an annual monitoring requirement. Phosphine detected to low level of 0.01mg/m³, due to this, it is likely that this detminand will be removed as a monitoring requirement following the most recent permit variation determination.

12. COMAH

Following discussion on site, Befesa were asked to submit a report to prove that the installation did not fall under the requirements of the Control of Major Accident Hazard Regulations 2015.

Report submitted by Befesa - site do not hold sufficient quantities of substances that would fall under the regulations. Additionally salt slags are classified as 'Contact with water can emit flammable gases' under Category 3 (not Category 1) and fall outside the requirements of the regulations.

13. Q4 Monitoring/ Annual Returns

Q4 Quarterly extractive monitoring for the period October 2017 - December 2017 reviewed:-

Stack A1 - Particulate Matter (PM) - below ELV of 5mgm³,

Action

It is noted that monitoring for PM has only been carried out from 09:40 - 10:16 8 December 2017, less than the one hour reference period required by the permit, please provide an explanation as to why the full 1 hour reference period has not been used by 26

April 2018.

Stack A, A5 & A6 - monitored for Ammonia all below permitted ELV of 15mg/m3.

Stack A4 - low level of Hydrogen Sulphide monitored, proves adequate destruction of this pollutant.

Annual data submitted for water and energy usage and waste produced converted into parameters per tonne of product processed
- no issue with submitted data.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032345**

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	Date	22/02/2018

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.

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.

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			
C2	C3	See text for details	26/04/2018
E1	C3	See text for details	26/04/2018

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.