

Compliance Assessment Report

Report ID:
CAR_NRW0035774

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

Site	Llanelli Plant	Permit Ref	BV4223IE		
Operator/Permit holder	Huntsman Corporation UK Ltd				
Regime	Installations				
Date of assessment	10/09/2019	Time in	10:00	Out	16:00
Assessment type	Audit				
Parts of the permit assessed	See below				
Lead officer's name	Dunn, Karen				
Accompanied by					
Recipient's name/position	Grant Wood / EHS Manager	Date issued	03/10/2019		

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
A1 - Specified by permit	A	
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
F1 - Amenity - Odour	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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

Operator representative throughout the handover visit was:

Grant Wood – Environment, Health and Safety (EHS) Manager

The following person was also present during various areas of the visit and introductions between the EHS assistant and the new NRW site inspector were made:

Scott Roberts – EHS Assistant

The following agenda items were provided prior to this handover:

- Introductions
- Complete Overview including on site visit.
- Database for continuous monitoring and reporting forms.
- Update since last visit
- AOB

Introductions

There have been staff changes in NRW following a re-organisation which took effect on 1 July 2019. The NRW Industry Regulation Team in SW Wales has had a site re-allocation and as a result Guy Baskerville (Guy.baskerville@cyfoethnaturiolcymru.gov.uk) is now assigned to the regulation of the environmental permit for the Huntsman Corporation UK Ltd plant in Bynea, Llanelli.

The operator has also experienced major changes in personnel and the company acknowledges that this presents a challenge. The previous site manager Phil Parry has retired and Paula Rex who has been the Technical Manager for several years is now the site manager. There have also been several other staff changes and a knock-on effect in technical, operations, engineering and production. The operator explained that the corporate memory has taken a hit due to personnel change and this will be felt, however it is recognised and individuals who have the experience are present at meetings and training is planned.

Overall business has been variable with the uncertainty over Brexit and the operator as part of the Chemical Industries Association (CIA) has had discussions on delays concerning logistics and finance. The operator doesn't envisage any transfrontier shipment (TFS) issues due to their customer location. Storage of spent catalyst was discussed should there be a TFS delay. The operator explained spent catalyst is stored in sealed steel drums up to a year and this may have to be extended for approximately 3 months to the current timeframe, should there be a delay.

Recommendation: Operator to contact NRW in the event of a storage / delay concerning the spent nickel catalyst sent under TFS regulations.

The main purpose of this visit was to undertake a handover tour of the installation for familiarisation purposes for the new NRW inspector as the next planned routine audit is due in Q4 (NRW work planning is based on the financial year so January, February and March 2020).

Complete Overview Including on Site Visit

The operator provided comprehensive and full site tour which was very useful for the NRW officers prior to the routine visit proposed for later in the financial year. The visit was most beneficial for a better understanding of the installation in advance of any environmental permit submissions or queries.

Database for continuous monitoring and reporting forms

Due to timing it was decided that this would be explored if necessary in a future visit and for the new inspector to view the database for continuous monitoring.

Return Submissions

It was advised that all submissions in respect of the EPR permit should be submitted to the new site inspector and copied to the industryregulation.swwales@cyfoethnaturiolcymru.gov.uk team inbox.

It was agreed that the operator was up to date and all submissions from 1 July 2019 which will now go to the new site inspector.

Any updates since last visit / proposed future work

The last routine audit was an Operator Monitoring Assessment (OMA) for air which was undertaken on 5 February 2019. There were some recommendations made on the report which were not reviewed during this visit due to timings. The new inspector may want to review these with the operator in a future visit.

A discussion was held regarding on-going matters for familiarisation purposes and the position concerning the ammoniacal nitrogen limit in the environmental permit. Please refer to previous compliance assessment report (CAR) forms for any detail. In short there have been no breaches of the ammoniacal nitrogen limit in the permit for at least 2 years. The latest complaints were 2 unsubstantiated reports of odour made in January 2019. The reports were investigated, and a thorough response provided to NRW by the operator.

Concerning proposed future work, it was advised that a new weather station / upgrade is planned on site in 2019. The new distillation column has now been commissioned. The TOC meters for improved effluent management were in the process of being installed at the time of the visit. There was an issue with the supplier and installation involving health and safety (H&S) requirements, which are a priority, so delays have been incurred with this project and the expected time for completion is the end of 2019. Future or short-term capex projects also being considered include the possibility of a new boiler, ammonia storage due to issues concerning delivery having the potential to impact production. A longer-term project called Horizon 2025 involving the EHS department and new targets with a 10% reduction on greenhouse gas emissions, hazardous waste production and process safety management. It was advised that the operator would need to consider the Medium Combustion Plant Directive (MCPD) and to approach NRW in good time concerning proposed change.

Furthermore, security and H&S improvements have taken place since the last visit which have included new CCTV cameras, improvements concerning water deluge on high pressure pumps and exercises undertaken to test H&S provisions.

The operator provided a very good overview of the business and the installation in Bynea, Llanelli and process safety adopted on site for the inspecting officers. The operator has been moving away from commodity chemicals with a forward look to specialty chemical production. The process safety outlined during the visit has not been discussed on this CAR form.

Overfill incident Laboratory Gantry

On 2 September 2019 Huntsman Llanelli had an incident involving the overfill of an ISO container at the laboratory gantry of Bis Amino Ethyl Ether (BAEE). Around 335kg of BAEE spilled during a loading operation which was investigated and classed as a Tier 3 incident. There was also a mention of EHS 2 event involving a detailed study of their layers of protection.

The investigation found that BAEE overflowed down the side of the tank as there was an error on the loading forms, the operator had left the area and the emergency stop or overfill protection system failed, namely an actuator on the instrument stuck, so a manual valve on the delivery line was used to stop the overflow.

No-one came into contact with the BAEE which is corrosive and was contained in the sealed drainage and strong effluent system. The area and ISO were washed down to the effluent sump. The incident had been investigated and discussed internally at corporate level.

Actions had arisen from the incident and investigation namely the replacement of the instrument that failed and a review of the loading procedure and consideration of redesigning the overfill protection to remove the human factor and any single point of failure.

Following this visit the NRW SW Industry Regulation Technical Specialist and COMAH officer Gary Evans was made aware of this event.

AOB

The operator has experienced issues involving waste fires in a nearby light commercial premises. There is a real concern over recent activity due to the proximity to the process. The operator has reported the waste fires to NRW and been in discussion with officers. During this visit there was evidence of burning in a nearby unit close to this COMAH site which is a concern.

Action: Site inspector to follow up on the status of the current reported waste activity internally with the NRW waste team.

[End]

-

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035774**

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

Site	Llanelli Plant	Permit Ref	BV4223IE
Operator/Permit holder	Huntsman Corporation UK Ltd	Date	10/09/2019

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 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.