

Compliance Assessment Report

Report ID:
CAR_NRW0036732

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

Site	Mostyn Chemical Works	Permit Ref	BU2357IP		
Operator/Permit holder	Mostyn Chemical Works				
Regime	Installations				
Date of assessment	29/06/2020	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Compliance assessment - Emissions to water and air.				
Lead officer's name	Oakes, Ian				
Accompanied by					
Recipient's name/position	Peter Bryant/ HSES Manager	Date issued	29/06/2020		

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	C3	Condition 2.2.1 and Table 2.2.2
E3 - Emissions - Surface water	C4	Condition 2.2.2 and Table 2.2.5
	C3	Condition 2.2.2 and Table 2.2.5

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	3	Total compliance score (see section 5 for scoring scheme)	8.1
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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

Permit non-compliances

1. Condition 2.2.2 and Table 2.2.5 Emission limits to water.

8 January 2020 suspended solids breach to surface water at W1 of 553 versus 250 mg/l limit at 1314 m3 due to cleaning a bund containing diluted TAED Luwa residues, which are dark brown in colour and water soluble. This was not reported with other suspended solids breaches at the time (below). The manufacturing department has been instructed to ensure that the banded areas are kept as dry as possible. This breach was much higher than the fungal hyphae breaches and attracts an individual score of CCS3.

Reference CAR_NRW0036494 for suspended solids breaches on 1,2, 29, 30 January and 1, 3 February, both waste water holding tanks, banded areas and the central collection chamber were cleaned out on or around the 7 & 8 January.

Action: Monitor bunds and suspended solids trends and action to avoid exceedances by 31 July 2020.

2. Condition 2.2.2 and Table 2.2.5 Emission limits to water.

3 April 2020 suspended solids breach to surface water at W1 of 264 versus 250 mg/l at 1111 m3. A marginal breach at CCS4.

Action: Monitor bunds and suspended solids trends and action to avoid exceedances by 31 July 2020.

3. Condition 2.9 Noise and vibration 2.9.1 The Operator shall use BAT so as to prevent or where that is not practicable to reduce emissions of noise and vibration from the permitted installation, in particular by:

equipment maintenance e.g. of fans, pumps, motors, conveyors and mobile plant; use and maintenance of appropriate attenuation e.g. silencers, barriers, enclosures; timing and location of noisy activities and vehicle movements; periodic checking of noise emissions, either qualitatively or quantitatively; and maintenance of building fabric,

provided always that the techniques used by the Operator shall be no less effective than those described in the Application, where relevant.

Date 30 April 2020 Off site noise complaint made by a local resident of Rhewl regarding a high-pitched noise due to the extraction fan on the CMC storage silo, which had been left on following a delivery that afternoon. The fan was shut down and the resident contacted. A reminder was given to the manufacturing staff to shut down the fan after the 'settling time' had elapsed.

Noise complaints are reviewed on a case by case basis and are infrequent at the site. The actions taken by the Operator are consistent with the requirements of the permit condition.

Action: Ensure that noise is considered whenever the site is inspected and when equipment is procured

and maintained.

4. Condition 2.2.1 and Table 2.2.2 Emission limits to air.

12 May 2020 carbon monoxide breach to air at A21 of 184 versus 70 mg/m³ limit from hot oil unit DPE29 with both the other units in compliance. The unit was repaired (unspecified) and retested.

A non-compliance score of CCS3 is considered appropriate.

Action: Ensure service schedules are maintained by 31 July 2020.

EPR Compliance Assessment Report

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Operator/Permit holder	Mostyn Chemical Works	Date	29/06/2020

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			
E1	C3	Ensure service schedules are maintained.	31/07/2020
E3	C4	Monitor bunds and suspended solids trends and action to avoid exceedances.	31/07/2020
E3	C3	Monitor bunds and suspended solids trends and action to avoid exceedances.	31/07/2020

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.