

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

Site	Llansantffraid Mill EPR/WP3938SH		Permit Ref	WP3938SH		
Operator/ Permit holder	Wynnstay Group PLC					
Date	24/11/2015		Time in	10:00	Out	14:00
What parts of the permit were assessed	AMP, Fugitive Emissions Review, Waste & Water Audits, Annual Monitoring and Performance Indicators, Inspection 26 th Feb 2015					
Assessment	Report/data review	EPR Activity:	Installation	X	Waste Op	Water Discharge
Recipient's name/position	Sandra Cipollaro					
Officer's name	Andi Kemp		Date issued	24/11/2015		

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

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	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
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	N	
	4. Reporting & notification	C3	5.1.1; 5.1.2;
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	1	Total compliance score (see section 5 for scoring scheme)	4
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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.

Purpose of Compliance Assessment

This Compliance Assessment follows on from the last visit on 5th December 2013, written up and sent to operator in Feb 2014 and includes a brief write up of inspection 26th Feb 2015, annual Fugitive Emissions review, Accident Management Plan review, Waste and Water Efficiency audits, 2013 and 2014 routine annual air emissions monitoring, annual performance indicators 2013 and 2014. There are also some comments on the June 2015 mill fire.

Reorganisation in NRW led this site to initially being handed over to North Area PPC team, on behalf of the Mid Area (no PPC team) in 2014, however, regulation stayed with the South East Area PPC team until mid 2015. The site now sits in Mid Area of NRW's Northern Operations Directorate, but will be regulated by the North Area team of the same directorate – Julia Frost has been appointed as the new officer and will contact the site in due course. Contact details for JF are: 03000 653859; Julia.frost@cyfoethnaturiolcymru.gov.uk.

Annual Monitoring Data

The routine monitoring results should be reported annually by 28th January every year. On 31st Jan 2014 NRW received the annual emissions monitoring results, which stated in the results field "waiting for results". SD (Wynnstay) advised on 13th Feb 2014, that a second round was due as the results of the 2013 monitoring were significantly different to normal results. This second round came in on 3rd Mar 2014 (for year 2013). The results are all below the ELVs. Refer to earlier CAR1 forms where the ELV derivation has been discussed – the limits, albeit significantly higher than any results ever submitted, were based on data supplied by Wynnstay. How this may affect the OPRA score has been discussed with the operator – CAR1 20110803. Note that the OPRA profile is based on the ELVs (the maximum the site are permitted to release) and agreed operating hours basis (e.g. 24/7/365), not what is actually released.

Annual data for 2014 was submitted on 10th Feb 2015 – all results are below the ELV.

Wynnstay need to take the following on board to avoid future non compliances for late reporting and not notifying the regulator of any deviations:

- Annual monitoring data supplied by 28th Jan every year unless agreed prior with NRW.
- NRW will likely (subject to other priorities) plan an Operator Monitoring Assessment of the emissions monitoring; looking at: monitoring methods, protocols, assessment of results, actual sampling arrangements.
- Conduct a sensitivity analysis on the OPRA profile by comparing a profile based on emission limit values as they currently are, with a profile based on more typical emissions values as typically reported – to see if the profile based on actual emissions provides a lower scoring profile, in which case Wynnstay may want to apply for a permit variation to lower the limits to reflect BAT and more typical lower values reported.
- A3 (Mar 2014) and A6 (Feb 2015) show higher results than normal – checks should be

made on the abatement equipment (cyclones and or bag filter) to ensure they are maintained and working correctly and the loading of particulate hasn't exceeded the performance ability of the abatement.

Annual Performance Indicators

As described by the permit conditions and reporting form templates, the operator must report values for various PIs by 31st Jan every year. 2013 PIs were submitted on 31st Jan 2014 and 2014 PIs were submitted on 10th Feb 2015 – note previous comments on late submissions without prior approval.

The main points from these indicator values are:

- Water use and water used per tonne of product produced – decreasing 2011 – 2014.
- Energy use and energy consumed ptp – generally decreasing over the same period.
- No hazardous waste produced: 2013, 2014; **ensure waste lubricating oils, cleaning solvents, asbestos etc. get reported if disposed of from the installation.**
- Note the 2014 waste figure has increased, mainly due to a more accurate way of reflecting actual waste arising from the installation, based on computer tracking of increased raw material use.

The site have conducted their first 4 yearly waste minimisation and water use and efficiency audit, received in April 2015, based on a reminder to conduct this work as per the permit conditions and advice given in Dec 2014 – see separate heading below.

Waste Minimisation & Water Efficiency Audits

Permit condition 2.4.1.2 covers this and if no such audit had been carried out within two years prior to permit issue (as is the case with this site), then the following should have been carried and submitted to NRW:

1. Audits to take place within two years of permit issue.
2. Methodology used and action plan to be submitted within two months of completing the first audits.
3. Every 4 years thereafter, submit a review and progress update on the action plan items to be submitted.

NRW noticed that this work had not been submitted and in Oct 2014 the operator was asked to check if they had ever carried out such work. In Nov 2014 the operator confirmed that they had not carried out such audits. AK then supplied advice on how the operator may approach this in Dec 2014, with a deadline for submission by 31st Mar 2015.

The operator submitted the audits, methodologies and recommendations on 1st April 2015, these are assessed below.

There are several ways an operator can approach this work, the main thing here is that Wynnstay have started this work – any procedures and actions can always be developed and refined over time. Now the first audits have been conducted, notwithstanding gross deficiencies in the methodologies used and submitted, four years from 31st Mar 2015, the operator should send a review of the audit and action plan progress and every four years thereafter.

The summary of advice supplied by AK (NRW) was – *refer to AK email to Wynnstay, 1st Dec 2014:*

1. Plan waste minimisation and water audits first: defining the metrics to be assessed, trends in use, most significant water uses and waste streams and fates.
2. Conduct the audits on site to verify desk study and figures; spot any gross inefficiencies.
3. Compile an action plan from the audit findings; explain why potential improvements are discounted using cost vs benefits; set KPIs and measures to monitor and track progress.
4. Review the audit methodology every 4 years and apply revisions to affected aspects to be audited, reaudit and amend the action plan and revise performance indicators.
5. Submit the action plan and progress against it and any revised versions every 4 years.

Water Efficiency Audit

The highlights are:

- Decreasing water use.
- Decreasing use per tonne of product.
- Main water uses defined and measured – steam generation, water used in product and vehicle washing are the most significant.

Out of the significant water demand areas, two areas, steam generation and water used in finished product have been discounted from improvement on the basis of defined legal moisture content of finished product (in the latter) and extra electricity required in the pelleting (pressing) process if steam use is reduced (in the former).

The operator declares that there are no visible water leaks in the water system. The area that has been selected for potential improvement is the vehicle wash.

Overall the site seem to be reasonably efficient with a figure of 41kg of water per tonne of product. It is difficult to prescribe benchmarks due to the variety of industries in this sector, however for engineering and product recipe reasons, coupled with no identified unwarranted losses or leaks, this process has at least provided a site specific benchmark for future performance measurement.

NRW offers these additional comments, based on the ever increasing pressure on water supplies:

- Operator to identify industry benchmarks for animal feed mills – from EU BAT documents, food industry trade bodies, research and global experience.
- Operator to reduce the chance of unidentified (underground) water supply leaks by comprehensive surveillance on site, liaison with the water supplier and assessing year on year use for increases in cubic meterage.
- Keep up to date with BAT progress that may mean implementation of upgraded equipment or change in production processes.
- Investigate the vehicle washing system: reuse water, on site treatment, rainwater harvesting from roofs to use for cleaning vehicles.

Waste Minimisation Audit

It is recognised that the site is not a large waste producer and does not seem to regularly produce hazardous waste. The waste that is produced is known, does not vary and appears to offer limited scope for prevention or reduction.

The exercise at least prepares the site and its staff for considering waste and its fate.

The only other comments NRW would add are:

- For the site to ensure that if hazardous waste is ever produced (oil, fuel, batteries, asbestos, solvents etc.) that Wynnstay can manage the waste in accordance with the Hazardous Waste Regulations, can assess and classify the waste in accordance with the current guidance and legislation (e.g. CLP Regulation and EA / NRW / SEPA guidance WM3).
- Wynnstay conduct due diligence and duty of care assessments on the waste carriers and destination sites, to ensure they can legally carry the waste and import and treat the waste type in accordance with the relevant authorisation (e.g. Environmental Permit).
- Continually review your waste production and onward handling in accordance with the waste hierarchy: prevent, reuse, recycle, recovery (energy from waste, e.g. incineration, RDF) and lastly disposal.
- On the annual returns, any abnormal increases in waste or new waste streams (damaged product, oil leak etc.) should be explained.

NRW assessment is that Wynnstay have an audit programme, staff are trained and that wastage due to poor procedures is minimised and hence any significant improvements may now be limited, but by adopting the bullet points above, further scope to ensure waste is minimised and handled legally with no serious pollution, should be continually reviewed.

Fugitive Emissions Review

Permit condition 4.1.4 (and associated conditions) cover the identification, control, minimisation and reporting of fugitive emissions. This is an annual reporting requirement. Advice has been given in previous CAR1 forms (Aug 2011, Dec 2012) and the latest report was received in Oct 2014 for a review in June 2014. It has been agreed that the site submit the reviews every September.

The operator has taken advice and used their knowledge of the site and its operations to produce a review in tabular format: a list of substances that could give rise to fugitive releases and a BAT assessment; a table listing activities that involve the listed substances that may give rise to fugitive emissions.

From the list of substances and BAT measures to prevent emissions, two areas, raised previously, have been highlighted and included in longer term site plans: above ground tank for molasses and a level alarm for the vehicle fuel dispense – these are welcome.

The review is accepted on the basis that the two improvements to controls above are implemented as soon as possible.

Accident Management Plan & Mill Fire June 2014

The AMP needs reviewing every two years and / or after an accident. The timetable agreed with the operator is every two years in September. The last plan received was in Sep 2014 and this is assessed below and is v3, a revision of v2 Mar 2012, assessed in CAR1 April 2012.

See also comments about the June 2015 fire.

The plan contains these essential elements:

- Document control; version, date, amended / reviewed by, author.
- Site details, relevant staff contacts and positions.
- Stored substances: quantity, where, what container.
- Site Plan: wider location and site layout.

- Risk assessment of spillage likelihood and consequences.
- Accident scenarios.

NRW accepts this plan and offers the following comments:

- Does the spill procedure recognise not just the interceptor, but also the other shut off valves as highlighted on the drainage plan – are staff aware and competent to know when to use these valves? See CAR1 Dec 2013 re confirming shut off valves etc.
- Is this plan still accurate? It is marked Rev A, Feb 01.
- At least every 10 years the drainage system should be surveyed using CCTV – this ensures the pipework is not damaged, leaking and as per drawing. When was this last done? This was mentioned in CAR1 Apr 2012.
- Are the Spill, Fire and Interceptor procedures up to date?
- The procedure for maintaining, testing and routinely emptying the interceptor was requested previously as Action 2 from the EMS audit, along with details of its construction and holding capacity in the event of a large spill or to contain firewater run off – please forward these details to Julia Frost.
- Spills and loss of containment from fuel dispense should be included.

The Mill fire was not notified to NRW – AK sent an email on 10th June 2014 about what conditions (main conditions table supplied previously to guide the operator) apply. When all personnel are safe, NRW should be notified as soon as is practicable so we can advise, liaise with FRS and site about pollution from the incident (local rivers, waste issues, contaminated fire water, breaches of containment due to fire damage etc.). The required notification forms are in Schedule 1 of the permit.

Wynnstay responded with a Part A of the Schedule 1 notice and a follow up email (should have been Part B to Schedule 1 notice) on 7th July. The root cause was identified and remedial action took place. Revisiting the AMP to include this scenario should now take place and also comments about interceptor contents (who makes the assessment that the water is safe to discharge and how do they arrive at such conclusions / were the contents tinkered away?) above need to be factored in along with comments about drainage plan and shut off / isolation valve locations.

A minor (category 3) non compliance has been raised for not complying with the notification conditions in the permit). Luckily the incident was minor, but these procedures exist so the appropriate response can be taken in the event of a serious incident.

EMS Targets, Closure Plan & SPMP

As pointed out in an email from AK on 5th Mar 2015 (from the Feb 2015 inspection), no submission has been made in accordance with permit condition 4.1.5, EMS improvement targets and progress. Previous CAR1s have given advice in this regard. Please submit current targets and implementation progress covering 2013 and 2014, including completed improvements.

The SPMP and how the condition of the ground and groundwater beneath the site is protected and records kept through the life of the site needs to be discussed. The Industrial Emissions Directive will be bringing in mandatory 5yr GW sampling and 10yr soil sampling – these conditions will be varied into permits when NRW reviews all permits according to the BAT conclusions and IED timetable.

The site Closure Plan also needs reviewing, as per permit conditions – v2 2008 needs updating every 4 years. This plan is invoked if the site enters closure and plans to surrender the permit. It should take on board these aspects in the initial design of the site (above ground tanks and pipelines, less hazardous substances etc.) and review things as the site replaces equipment

over time. The plan should guide the operator through safe closure, decommissioning, emptying of tanks and vessels, dismantling and demolition, protecting receptors by sealing pathways (drains) while work is going on. The plan should have built into it how other site procedures (legalities, notifications, maintenance, cleaning, spills, abnormal operation etc.) are implemented and when during the closure process – with attention given to staff training (moral and competence), security, utilities switch off, fuel dispense dismantling, pollution control, GW and soil protection – during the closure and decommissioning process. All this will build towards a permit surrender application.

Inspection: 26th Feb 2015


There was nothing to report from the inspection. The mill appeared to be operating as it normally does and there was no evidence of pollution, spillages, unauthorised activities.

NRW reminds the operator to address the issues raised in this CAR1 above (drainage plans, interceptor details and testing, including fuel dispense in AMP, preparation of a Closure Plan, protecting ground and GW and associated records, EMS improvement targets, maintenance of any pollution control equipment (cyclones, shut of valves, bunds, tanks etc.)) and draw up a table of outstanding actions from the CARs (refer to table AK sent earlier in 2015) and begin to address them, including the EMS audit actions and recommendations.

NRW reminds the operator that an OMA is likely to be planned – as this work into assessing monitoring arrangements is outstanding – and the operator should download the latest EA guidance and MA forms in preparation. The OPRA profile must be checked each year and findings communicated to the regulatory officer by end of Dec 2015.

The site management of fugitive emissions and AMP has improved in the last 3 years. The operator should build on advice given in previous CARs about deriving and tracking Environmental Management System improvement targets – and log all completed initiatives as evidence of work done and as subjects for future revisit. Please update NRW on Wynnstays plans to fully implement ISO 14001 at Llansantffraid.

END

	EPR Compliance Assessment Report	Report ID: WP3938SH/0252850
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This form will report compliance with your permit as determined by an NRW officer

Site	Llansantffraid Mill EPR/WP3938SH	Permit	WP3938SH
Operator/ Permit	Wynnstay Group PLC	Date	24/11/2015

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.	<input type="checkbox"/>
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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.	<input checked="" type="checkbox"/>
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We will now consider what enforcement action is appropriate and notify you, referencing this form.	<input type="checkbox"/>
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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			
G4	C3	Site were sent a summary of permit conditions and requirements and a table of all CAR1 forms and records of what reporting and notifications have been and should be made to the Regulator	N/A

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.