

	EPR Compliance Assessment Report	Report ID:20160216/VP3132LJ			
This form will report compliance with your permit as determined by an NRW officer					
Site	Mwyndy Solid Fuel	Permit Ref	VP3132LJ		
Operator/ Permit holder	Maxibrite Ltd				
Date	16 th February 2016	Time in	10:00	Out	14:15
What parts of the permit were assessed	As detailed in body of report				
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op
					Water Discharge
Recipient's name/position	Simon Gilbody				
Officer's name	Toby Griffiths	Date issued	18/02/2016		

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
a) Permitted activities	1. Specified by permit	N			
b) Infrastructure	1. Engineering for prevention & control of pollution	A			
	2. Closure & decommissioning	N			
	3. Site drainage engineering (clean & foul)	A			
	4. Containment of stored materials	A			
	5. Plant and equipment	N			
c) General management	1. Staff competency/ training	N			
	2. Management system & operating procedures	A			
	3. Materials acceptance	N			
	4. Storage handling, labelling, segregation	A			
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	A			
	4. Sewer	N			
	5. Waste	N			
f) Amenity	1. Odour	A			
	2. Noise	N			
	3. Dust/fibres/particulates	N			
	4. Pests, birds & scavengers	N			
	5. Deposits on road	A			
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	N			
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	0	Total compliance score (see section 5 for scoring scheme)	0
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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.

Pre-arranged site visit of 16th February 2016

Present:

Simon Gilbody

John Keenan

Rhys Hughes (NRW)

1. Business update

No recent dust / odour complaints received by NRW or by Maxibrite. Site is still undergoing changes to reflect the Hargreaves business cultures. Recently, this has entailed a detailed review of health and safety aspects and housekeeping. Mike Littleford continues to drive change on site, and it is hoped that this will also relate to environmental aspects.

The last NRW visit was 22nd April 2015. There were no actions, other than the ongoing items relating to improvement conditions, odour monitoring etc. Green Dragon EMS has been certified at Level 4, and documents were received by NRW. This is commended. An update document from Maxibrite was received on the day and can be seen separately on file.

2. Odour monitoring update

Collection of odour samples from the main stack have continued and it is expected that sufficient data has been collected to allow modelling to take place. SG is selecting a contractor to carry out this modelling. **[Action 1]**

3. Improvement Conditions

There are a number of outstanding Improvement Conditions, and NRW will provide a status update for each condition in due course. Some specific conditions are mentioned below:

IC4/ IC5 – water emissions Review of water discharge results

Monitoring data for the last 4 years was reviewed and discussed. Other than one elevated reading, the suspended solids levels have remained within the original upper benchmark value of 30mg/l. Ammonia levels are generally below the original upper benchmark of 5mg/l, however the trend shows that there are more likely to be exceedances, as the values are generally closer to the benchmark. As discussed previously, it is NRW's intention to revise the emission limits for the W1 discharge to bring them in line with sector benchmarks. It is noted that recent updates to the BAT reference documents (BREF) may impact on this review. This revision will be based on evidence such as monitoring data, and will be discussed with Maxibrite in advance of any change. Maxibrite had some concerns over the variability of their own monitoring results compared with those sent to the MCERTS lab. In view of this, NRW suggested that a comparison exercise is carried out. **[Action 2]**

A9 – rotary drier stack data (IC14)

Maxibrite have been collecting data from A9 to support the submission for IC14 for some time. It was noted in previous visits that sufficient data should be available to allow the emission limit at A9 to be revised in line with sector benchmarks. NRW intends to continue with this revision, supported by the monitoring data. As above, we will discuss any changes in advance. An elevated level of 43mg/m³ recorded on 03/06/15 has been attributed to a loss of integrity in pipework the bag filter system. This has since been repaired.

4. Thermal Oxidiser

The TO is part of the abatement system for the oven fume. Performance in terms of temperature and residence time was discussed. As part of ongoing improvement relating to odour management, the TO should be assessed against the relevant standards to determine whether improvements are needed. The emissions from the fluid bed dryer bypasses this system, and passes into the main stack. SG considers that the fluid bed dryer may be a contributor to odour emissions, although this needs to be demonstrated through monitoring.

5. Dust control / stock levels

There was minimal dust noted on site, though there was some black dust tracking out of the main entrance onto the roadway. This could be better controlled [**Action 3**].

There has been a significant reduction in coal fines stock levels, which has allowed a dilapidated building to be removed and concrete areas to be cleared. This is a significant improvement and is commended by NRW. It is hoped that the continued improvement of stock management will allow for more covered storage to be built and afford better control of coal fines. This would then have beneficial impacts on water quality and dust control. Cap-ex is being sought for the additional covered storage.

6. Site Tour

The process was not operating. A site tour was undertaken, which included the coal fines stock yards, W1 discharge, lagoons, filter press and roadways. No significant issues were seen. Good overall improvements have been made in terms of stock management. Some ongoing improvement are planned for building structures and other site infrastructure.

Actions:

Action 1: Please forward a spreadsheet of the odour monitoring data collected to date and confirm proposals for the modelling work.

Action 2: Please provide a comparison (including a graph) of the MCERTS monitoring data with the site monitoring data for the W1 discharge point. This should include ammonia and suspended solids.

Action 3: Please consider options for the prevention of dust on the entrance roadway.

Please provide this information by **25th March 2016**.

END

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Operator/ Permit	Maxibrite Ltd	Date 16/02/2016

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.	
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.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

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			
		See main text	

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.