

Compliance Assessment Report

Report ID:
CAR_NRW0026331

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

Site	Mwyndy Solid Fuel Briquette Manufacturer EA/EPR/VP3132LJ/V002	Permit Ref	VP3132LJ			
Operator/Permit holder	Maxibrite Ltd					
Regime	Installations					
Date of assessment	05/09/2016	Time in	10:00	Out	12:30	
Assessment type	Audit					
Parts of the permit assessed	Detailed in report					
Lead officer's name	Griffiths, Toby					
Accompanied by	Saul White					
Recipient's name/position	Simon Gilbody/ Operations Manager	Date issued	06/09/2016			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	
C2 - General Management - Management system and operating procedures	A	
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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
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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

Site Visit of 5th September 2016

John Keenan
Toby Griffiths (NRW)
Saul White (NRW)

1. Introduction / overview of agenda items

John Keenan stood in for Simon Gilbody who was not on site. Capex has been approved for additional covered storage for the raw material. This should bring improvements relating to energy usage, reduced water loading and dust control. The site is at the end of a 2 week shut down to carry out routine maintenance tasks. JK reported a successful Green Dragon EMS audit in July, and expects to be re-certified as Level 4. A response to the actions from the previous visit has been provided.

2. Odour monitoring update

An action plan was formally agreed with site on 26th August. This means that NRW will suspend scoring non-compliances with the permit for odour, unless the reasons for an odour incident are related incorrect practises on site, or if actions are not progressed as agreed. The dates in the action plan should not be allowed to slip significantly. We discussed that improved abatement should be considered in addition to the potential of increasing the stack height, as the increased height alone may not be sufficient to prevent odour complaints. It was noted that the fluid bed dryer is not extracted through the thermal oxidiser, however JK confirmed that this is prior to the application of binder, and therefore should not be a significant contributor to odour.

3. Permit review

A significant proportion of NRW's intervention work this year will be the permit review, which will benchmark Maxibrite's process with the Iron and Steel sector (coke ovens section), since it is the closest comparable sector. Saul White is likely to be undertaking the review for NRW, and he gave an overview of what is required. Maxibrite have already submitted a response to the NRW Regulation 60 request. This entails a comparison of their operations with the BAT conclusions of the BREF. However, NRW noted that some important sections had not been adequately reviewed by Maxibrite. For example, Section 1.1.1 through to 1.1.9, which includes EMS and dust control through to noise. NRW is prepared to offer further advice and another site meeting if required to discuss any issues with the review. The BREF also contains the relevant emission limit values to be achieved. The review also requires that emissions are assessed via the H1 screening tool and more detailed modelling if required. It was agreed that Maxibrite would be given a further 3 months to complete their review and submit the information to NRW.

4. Review of water monitoring results

The water emission limits are part of the permit review. There has been a reported discrepancy between the results Maxibrite obtain from their on-site tests, and those provided by the MCERTS laboratory ALcontrol. In terms of permit compliance, the ALcontrol results are deemed to be valid. However, it creates difficulty for Maxibrite in terms of process control if their results differ. Investigations into the likely differences, which mainly affects the suspended solids values, remain inconclusive, though it is thought that solids adhere to the sides of the sample bottle, reducing the result. This issue should continue to be investigated. In general, the solids results (TSS) are far lower than their current limit of 200mg/l. In view of this, the permit review will seek to reduce the limit to the sector benchmark. It is possible that further work will need to be done by Maxibrite to keep TSS emissions at a consistently low level, as there is currently some fluctuation (3 – 31mg/l in 2015). The use of the filter press was discussed, and it was apparent

that it is used on an ad hoc basis when TSS levels are likely to be higher. JK explained that improved site water management has reduced the need for additional treatment. Ammonia emissions are more stable (around 2 – 5mg/l in 2015), and are generally closer to benchmark levels. JK considered that a reduction of “waste” water arising from the scrubbing unit means that less ammonia enters the site water. Again, the emission limits will be reviewed in line with BAT. Part of the permit review may require Maxibrite to monitor for a range of additional determinands to characterise their emissions to water. NRW will respond in due course with further details.

5. Dust control / stock levels

The issue of dust tracking out of the main entrance was noted at the last visit and during an ad hoc visit in May after an odour complaint. Maxibrite have reviewed their procedures, which now includes a daily check and additional cleaning if required. NRW discussed whether other options such as wheel washes would be suitable. However, it is noted that dust control is a key element of the BREF review which Maxibrite need to complete for the permit review, and as such, appropriate options may be considered at that point.

6. Site Tour

A site tour was undertaken which included all main external operational areas from the finished stock yard to the raw material yard. The weather was wet, and the yard areas were also wet. Stock levels of coal fines are still present in more manageable quantities than previously, and the area where new covered storage is planned was visited. There was no discharge to W1 at the time, and Mwyndy Brook looked clear, albeit silty. The bag filter system from the rotary dryer had recently been refurbished with new bags and improved ducts and performance modifications. These improvements are acknowledged. No significant issues were seen.

7. Recent returns:

The following reports and returns were received by NRW:

Housekeeping reports for:

- April 2016, received on 29th April 2016
- May 2016, received on 31st May 2016
- June 2016, received on 1st July 2016
- July 2016, received on 1st August 2016
- August 2016, received on 31st August 2016

Dust deposition total, received on 31st March 2016.

- Quarter 1, air and water, received on 28th April 2016 forms: Water 1, Air 1.
- Quarter 2, air and water, received on 28th July 2016, forms: Water 1, Air 1.

Results were compliant with permit conditions.

END

EPR Compliance Assessment Report

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Operator/Permit holder	Maxibrite Ltd	Date	05/09/2016

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.

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.

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 reports 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 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.