



Enforcement Notice

The Environmental Permitting (England and Wales) Regulations 2010 Regulation 36

To: **British Crystal Limited**
Unit 14 Pedmore Road Industrial Estate
Brierley Hill
West Midlands
DY5 1TJ

Dudley Metropolitan Borough Council ("the Council") in the exercise of the powers conferred upon it by Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2010 ("the 2010 Regulations"), is of the opinion that the operator of the installation under permit reference PB/98 has contravened three environmental permit conditions, detailed as follows:

3.3 *The limit for emissions to air from the chimney stack serving the acid fume scrubbing unit shall not exceed the limit specified in Table 3.2 below.*

TABLE 3.2 – Emissions from acid fume scrubbing unit		
Substance	Emission Limit	Monitoring frequency
<i>Total fluoride emissions expressed as hydrogen fluoride</i>	<i>5 mg/m³</i>	<i>Manual extractive – Annual Indicative testing - Weekly</i>

The concentrations of substances measured annually in accordance with this condition shall be expressed at reference conditions 273K, 101.3 kPa with oxygen and water references which shall correspond to the normal operating conditions of the acid fume scrubbing unit.

4.8 *Adverse results from any monitoring activity shall be investigated by the operator as soon as the monitoring data has been received. The operator shall:*

- *Identify the cause of the adverse result/s and take corrective action,*
- *Record as much detail as possible regarding the cause and extent of the problem, and the action taken by the operator to rectify the situation,*
- *Re-test to demonstrate compliance as soon as possible; and*
- *Notify the Council of the results of the re-test as soon as the data has been received.*

See Schedule 1 to this Notice which sets out the matters constituting the contravention, the remedial steps that must be taken and the period within which those steps must be completed.



Signed:

Dated: 12th March 2014

Lynda Fawthrop
Principal Environmental Health Officer
(Authorised to sign on behalf of Dudley Metropolitan Borough Council)

Address for all communications:

Dudley MBC
Environmental Protection
4 Ednam Road,
Dudley
West Midlands
DY2 8UZ.

Schedule 1

Permit Condition:	Matters constituting the contravention:	Steps to be taken to comply with this notice:	Date by which the said steps are to be taken:
Condition 3.3	The manual extractive monitoring report dated 26 th November 2013 states that total fluoride emissions expressed as hydrogen fluoride from the acid fume scrubbing unit were 19.2mg/m ³ at the time the monitoring exercise was undertaken on 13 th November 2013. This demonstrates non-compliance with the emission limit of 5mg/m ³ as stipulated in permit condition 3.3.	(1) To investigate the cause of the non-compliance with the total fluoride emission limit and to submit to the Council a written record of the investigation and actions that have been or are proposed to be undertaken to ensure the emission limit is met.	(1) 7 th April 2014
Condition 4.8	The operator has not forwarded any information to indicate that the adverse monitoring results were investigated as soon as the data was received to identify the cause of the adverse results and take corrective action.	(2) To ensure further extractive monitoring is undertaken to demonstrate compliance with permit condition 3.3. In accordance with permit condition 4.2, the operator shall notify the Council in writing at least 21 days prior to the monitoring and provide a full specification of the monitoring programme. (3) To ensure the results of the extractive monitoring are forwarded to the Council as soon as they are received	(2) 30 th April 2014 (3) 28 th May 2014