

INSPECTION VISIT REPORT – PIR/RSR

ENVIRONMENT
AGENCY

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FILE NOS: CoMAH 4470
DATE OF REPORT: 6 May 2005
REPORT NO:
INSPECTOR'S SIGNATURE: [REDACTED]

OPERATOR: (Name, address)	W. H. Keys Hall End Works, Church Lane, West Bromwich B71 1BN
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PROCESS/PREMISES TYPE:	Cresols and Bitumen products
<i>IPC Process Sch Ref</i>	<i>PPC Primary Activity Sch Ref</i>
PROCESS NAME:	Disinfectant blending

TYPE OF VISIT: (enter no of visits in each category – if other describe under PURPOSE OF VISIT)	PPC	IPC	COMAH		RSR		
			TT	LT	B3	B4 C/E	B4 Other
Enforcement - investigation & enforcement				X			
Incident response - complaints & incidents							
Permitting - permits; variations; reviews; transfers; surrenders; COMAH SR assessments; etc							
Compliance - programmed inspection; compliance; monitoring				X			

PURPOSE OF VISIT:	To determine status of site following Keys going into Administration
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INSPECTION VISIT BY:	D. Othen, I. Kelcey, N. Iles	DATE OF VISIT:	5 May 2005
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PERSON(S) SEEN: (Name, Position)	[REDACTED] WH Keys (Chemist)	[REDACTED] HSE, Local Officer
	[REDACTED] WH Keys (former MD)	[REDACTED] HSE Process Spec'st
	[REDACTED] PMC Marketing (MD)	[REDACTED] HSE, Mechanical
	[REDACTED] BDO (Administrator)	

Reviewed by (TL complete as applicable)

	RTL (PIR/RSR)			Final Inspector check	QC
Date	2.7.05			[REDACTED]	
Initial	[REDACTED]			26/7/05	

HEALTH & SAFETY:

	<i>Issue</i>	<i>Comment</i>
1.	<i>Special risks</i>	Various chemicals on site
2.	<i>Relevant PIR Risk Assessments</i>	
3.	<i>Lone worker?</i>	No
4.	<i>Time of day</i>	Morning
5.	<i>Site familiarity</i>	██████████ visited site previously, ██████████ new to site
6.	<i>Unusual conditions / weather leading to increased risks?</i>	Dry and fine
7.	<i>Environmental or Occupational Health, COSHH</i>	Appropriate PPE used
8.	<i>Highest risk event?</i>	Site tour
9.	<i>Learning points</i>	
RSR	<i>Recorded dose received. μSv</i>	N/A

ITEMS CARRIED OVER FROM LAST VISIT:

The WH Keys site is a lower tier COMAH site which undertakes toll manufacturing/blending of disinfectants for a couple of companies (PMC/██████████). Keys also produce a number of bituminous products although this does not fall under COMAH.

Both the HSE and the Agency inspected the site in late 2004 and as a result WH Keys were given a number of improvement notices. One of these was from the Agency and concerned drainage of materials to land.

Early in 2005, there was an incident at the WH Keys site where a tank containing cresols bulged and began to lean. This tank and a second tank were emptied before any material was lost. Following this incident the HSE imposed further notices, including a number of Prohibition Notices.

During April 2005 the Agency was advised that WH Keys had gone into Administration. This visit was organised to determine the status of the company, the site and the actions arising from the notices issued.

REPORT:

Following a decision by the Directors of WH Keys the Administrators, BDO ██████████ LLP, had taken over the management of the site. The Administration process temporarily financially protects the company whilst the Administrators try to rescue or dispose of the business. HSE responsibilities remain with the company but through the Administrators. At present the Administrators are investigating both disposal of the business as a going concern and also disposal of the land for development. A decision on selling the business as a going concern is expected to be taken during w/c 9/5/05.

BDO have retained 8 staff and ██████████ (former WH Keys MD) has make himself available on a voluntary basis. The only production activity still on going is in connection with the disposal of existing cresol stocks.

The two tanks that had contained the cresols have been emptied and the material taken off site. The tanks have not been purged or cleaned. There is currently more than 50 tonnes of 'COMAH' materials on site in other tanks, IBC's and drums. Plans are in place for most of this material to be sent elsewhere and it is anticipated

that there will then be 10 to 20 tonnes of off-spec material left which will be disposed of to waste treatment. This is also may also be a stock of 'COMAH' materials held in IBCs and drums and this could make demouification difficult.

A complete site tour was undertaken. Various operations in connection with the bituminous business are carried out at separate locations on the site. The disinfectant blending operations are confined to one corner of the site. There are a number of old building in various states of repair and the site is cluttered with redundant tanks, IBC's, drums and various other items. A lot of items have been on site for some time and the contents are unclear. There are also areas where spillages have occurred and there is probable land contamination. Some asbestos cement products are present on site (stored and as roofing materials). Although there are no drainage systems on site, there are also no sensitive receptors e.g. rivers, canals etc in close proximity.

Currently the greatest possible cause of an environmental incident would be from an arson attack. The site is manned on days Monday to Friday. A security firm is employed to watch the site outside these hours and the site is protected by an intruder alarm system. The Administrators are continuing with the current security set up. Action is required to separate toxic and flammable materials.

Should the business be sold as a going concern then the existing notices would be transferred to the new owners. The HSE have still to establish the cause of the incident and will need to inspect the two-cresol tanks. PMC are arranging for Simon Storage to remove the tanks and are awaiting a method statement. Clearly if the business is to continue improvements will be required e.g. improved process control, bunding, drainage etc.

If the site is to be cleared then identification of contents of vessels, tanks and drum will be a problem. Equipment that is to be demolished will need to be emptied and cleaned. Items containing asbestos will also require safe disposal. Land contamination is also likely to be a major issue. A method statement for the decommissioning and site clean will be required.

It was agreed that current operations could continue. Both the HSE and the Agency require early notice of any changes to the current status of the site, stocks (pp when reduced to below COMAH limit) and potential ownership.

CONCLUSIONS / RECOMMENDATIONS:

If the existing WH Keys business is taken over as a going concern then additional safeguards will need to be put in place to protect the environment, health and safety.

It seems more likely that the site will be development for other use, which means that decommissioning and site clearance could present problems.

NON-COMPLIANCES:		Category
1.	Land contamination (subject of existing improvement notice)	
2.		
3.		
Entered on CCS (tick box)		

CORRECTIVE / PROTECTIVE ACTIONS:*(Inspector to sign off when complete)*

ACTION:		Complete	
		Date	Initial
1	No additional actions		
2			
3			
4			
5			

REVIEWERS COMMENTS: