

**MINUTES OF THE DRYTEC LIAISON GROUP MEETING**  
**HELD ON WEDNESDAY, 5 FEBRUARY 2014 AT K-COLLEGE**

**Attendees:**

Cllr Mark Davis ((MD) - TMBC  
Cllr Owen Baldock (OB) - TMBC  
Cllr Sarah Spence (SS) - TMBC  
George Niklas (GN) - Resident  
Francis Pearce (FP) - Resident  
Howard Porter (HP) - Resident

Steve Humphrey (SH) - TMBC  
Jane Heeley (JH) - TMBC  
Jacqui Rands (JR) - TMBC  
Mike Kirby (MK) - Drytec  
Trevor Allan (TA) - Drytec  
Joanne Wines (JW) - Environment Agency

**1. Welcome and Introductions- Cllr Mark Davis**

Members of the group introduced themselves

FP reiterated that at the last Environmental Management Advisory Board meeting MD stated that the odours and emissions from Drytec were "a nuisance" and that OB had gone on the public record stating that Drytec odours and emissions were "an irritation". Cllr Davis pointed out however that his use of the word had been in ordinary use of language rather than the legal term "statutory nuisance" and this was accepted.

**2. Role and Objectives of the Liaison Group**

The objectives which had previously been prepared were circulated.

MD paraphrased the Aims and Objectives and confirmed that this group has been formed following the report to Local Environmental Advisory Board (LEMAB) in November 2013.

FP asked if the minutes from the meeting would be available for circulation to all, including the Stop Drytec Smells Group. All agreed they would be.

FP advised that the aim of Stop Drytec Smells Group is to establish a firm timetable to stop smells. He sought clarification that this aim could be agreed by the group. MD advised that whilst that aim should be pursued, the Liaison Group itself cannot confirm a firm timetable and is dependent on Drytec to a large degree. The Liaison Group needed to hear what Drytec say and be conscious of legal framework.

All agreed that the common aim of the group was to stop the smell in an adequate timeframe.

**3. Review of complaints and trial 2013 – JH/ Stop Drytec Smells Group.**

JH summarised the complaint history, including during the trial period between May and September 2013. FP asked for clarification of the complaint numbers over the last few

years. For January 2014 the figures were 57 complaints. The overall trend of the complaints has significantly increased over the last three years.

JH confirmed that until 2/3years ago the smell had been sporadic with periods of intense complaints and then nothing for 2/3 months. However the picture is changing, complaints are becoming less sporadic and are now much more frequent. The source of the odour had been confirmed as Drytec related about 12 months ago.

GN advised that he has documentation from TMBC, going back 7 years, and which clearly shows that the source of the odour was attributed to Drytec.

JH advised that to meet evidential tests the Council had needed to be certain it was Drytec. There were occasions when production did not match the smell and complaints were received when Drytec not producing. There had not been evidential certainty that the odours perceived by residents were emanating from Drytec until relatively recently.

GN described how the odour has affected people and Tonbridge for years. The involvement of Social Media platforms has seen the number of contacts to the Stop Drytec Smells group mushroom.

MK stated he did not dispute the impact the Drytec smells have on local residents and agreed the current situation was not sustainable.

HP enquired about other potential sources – due to the mismatch of smells with production issue.

JH confirmed they have now been eliminated from these investigations

SS advised that she had noticed an increase in the occurrences of odour during her residence in Tonbridge from 2005- 2013.

#### **4. Operational overview and timetable for upgrading odour abatement equipment – MK.**

MK – gave a presentation. MK stated that Drytec produced a large range of products on a Contract Manufacturing Basis for many customers. Products include food flavours, nutritional supplements and pharmaceutical excipients. MK stated that they could manufacture three products simultaneously. Production had recently increased and that they had taken on six new staff in 2013.

The outcome of MK's presentation was to detail a timetable outlining the proposed installation of new odour abatement equipment (Recuperative Thermal Oxidiser (RTO))on the following timetable:

- Fabrication of new RTO plant to commence in February 2014
- RTO Plant to be shipped to UK in March 2014
- RTO Plant to be commissioned in April 2014
- RTO to be fully operational by May 2014

HP asked if MK had confidence in the proposed system. MK explained that there is an automatic \$500.00 fine in the USA for causing an odour – there had been only 2 odour complaints last year from their sister site, which uses the same technology to abate odours. MK stated that he wouldn't invest his own money in a system that didn't work.

TA and MK confirmed that the factory in USA produces same products as Drytec.

JH asked that the technical specification be shared with TMBC at the earliest stage, MK agreed to share all information with TMBC and the Liaison Group.

HP asked if there was any issue if a change to the products manufactured by Drytec occurred. MK confirmed that it would be satisfactory on a 90-95% confidence basis.

FP asked about the Strobic Air option and MK explained that it involves locating an additional fan in the stack which increases the height at which the exhaust gases are discharged, without removing the odours. In essence it increases the stack height, however, it would still discharge below the top floor of the new flats opposite Drytec and MK felt this would be problematical.

HP asked if the RTO was a new invention. MK stated that the RTO was not new equipment. HP asked if the RTO wasn't new equipment why hadn't Drytec invested in this equipment before. MK stated that in the past Drytec did not have the money to invest in the equipment.

MK reaffirmed his agreement to share all information with TMBC including the technical specification and the critical path for the project.

FP appreciated MK being there. SDS group want people to come to Tonbridge they do not want the smell to drive people out of town. Equally they do not want to drive Drytec out of Tonbridge but just want the smells to stop.

Over 3 weekends outside Waitrose the STS campaign have collected 1000 signatures from people raising a range of concerns.

SH appreciated that there is a reputational issue for Tonbridge, TMBC and Drytec. There was also an important community dimension as well as the practical effect of the odour.

GN informed those present that Ward Homes were now very aware of the Drytec problem and its effect on Tonbridge and in particular the Blossom Bank development. SH agreed and added that he knew Ward Homes were aware of this issue.

All members of the Liaison Group have broadly the same aim.

Further concerns were raised by the local residents in addition to the odour issue:

- have any contaminants reached the River or drainage systems?
- The recent local floods – do Drytec have working procedures to address these issues – are they rehearsed?

- The drums on the forecourt indicate that some of the substances used are hazardous, combustible and harmful to fish – do these substances get washed into drains?
- a stainless steel tank caked in white powder has been seen outside factory adjacent to a drain. What happens if it rains? TA advised that the white powder is 'Reference washing powder'
- poor housekeeping at the site.
- Concern over working practices, storage of hazardous chemicals. Did the recent floods in that area (next to river).endanger the Aquatic life?
- residents had visited the site at night and seen doors open. How is the night working policed?
- Door Policy – to keep the doors closed when not in use
- Waste Collection – controlled and disposed in the statutory manner as this is Hazardous Waste, and needs to be more frequent.
- Materials, Equipment and Waste should not be stored or cleaned outside.
- Solvents present in the emissions - MK was not aware **of** solvents in current or in future emissions but has undertaken to research and report back.
- Concerns about drums and raw materials stored in shipping containers next to the river.

TA confirmed that:

- Drytec had never discharge into river.
- Employees have had spill kit training. Drain covers are tight fitting and secure.
- Work within necessary permits limits for discharges off site.
- Flooding – drums were stored off the ground.

In any event MK undertook to review working and related practices at the site and report back to the Group.

## **5. Report from the Environment Agency.**

JW confirmed that the EA do not regulate Drytec directly.

However a routine Pollution Prevention Control visit was made to the site in July 2013 and at the time nothing untoward was noted. JW said she would be happy to share a copy of the visit report the group.

JW confirmed there have been no reports of pollution into river from Drytec.

JW agreed to see if there had been any testing of the water in the vicinity

## **6. Report from Public Health England (PHE).**

JR read the following statement from PHE:

“PHE is an executive agency of the Department of Health with responsibilities to provide advice to support the protection of the public’s health. Scientists from PHE have supplied advice to the local authority on monitoring emissions from the site and have conducted a site visit. PHE will continue to assist the local authority where possible and support the council’s investigation of the odour as a nuisance issue”.

## **7. A.O.B**

FP asked if the RTO doesn’t work, what’s Plan B? TA said it is proven technology within a highly regulated environment in USA. MK said they would need further capital investment to look at the viability of additional wet scrubbers. MK said he is confident the RTO will resolve problem

FP asked how TMBC and SDS Group intend to address ongoing complaints between now and May. SH confirmed that the prospect of taking formal action has always got to be a consideration for TMBC.

JH confirmed that TMBC were keeping records of all complaints. Contact from residents is received in a variety of ways. To ensure no complaint is overlooked TMBC will be setting up a generic email. JH asked that residents contact TMBC as soon as possible, when they detect the odour to enable officers to have the opportunity to visit at the earliest opportunity. Although it must be acknowledged that officers may not be able to respond on every occasion, due to other pressures.

JH explained that the opportunity is being taken to review the Council’s monitoring regime and that the Council hopes that the details of the new monitoring arrangements can be disseminated through STS group. FP asked if the SDS group could be involved in this process, JH said their input would be welcomed.

JH explained that the bar is very high in the evidential test for Statutory Nuisance. The fact that an odour is detected and described as a nuisance does not make it a Statutory Nuisance, under the terms of the legislation. Consideration has to be given to the intensity, duration and frequency with which the odour occurs. The assessment of the intensity criteria and its impact is subjective and would need to be balanced against considerations of the test of Best Practicable Means (BPM) to abate the odour.

HP asked if SH had received a reply from Sir John Stanley re current legislation. SH confirmed he had received a reply which simply drew attention to current legislative provisions.

**Relevant Action Points:**

1. Drytec to put in place operational RTO by May. MK happy to go away with this understanding.
2. Drytec to share technical specification with TMBC officers.
3. JW to share Pollution Prevention visit reports with group. To check if any water sampling been undertaken and share results as necessary.
4. TA to review steps/procedures to endeavour to reduce odours in interim period until May, including reviewing production scheduling.
5. TMBC to set up generic email address; review their monitoring processes, including sharing the outcome of the monitoring.
6. Drytec to undertake review of their housekeeping procedures and working practices and report back to group.

**8. Next meeting:**

This would be targeted for the end of March. TMBC will organise venue and date