

Compliance Assessment Report CAR_NRW0040934

Permit being assessed: UP3831ES.

For: ALYN WORKS, held by T S Resins Limited

At: Alyn Works Denbigh Road , MOLD, Flintshire, CH7 1BT.

Type of assessment carried out: Audit, Reason: Routine.

On 29/11/2022 between 14:00 and 16:30.

Parts of permit assessed: See report

NRW Lead Officer: Lara Cubley, accompanied by Philip Harper.

Report sent to: Jim Hadley / Paul de Wolf, Operations Manager / Technical & Safety Manager on 13/01/2023.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	C3 Minor	2.3.5
E1 - Emissions - Air	C3 Minor	2.2.1.3

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	8

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
G3	See Action 1	13/01/2023
E1	Abatement maintenance improvements completed.	Already completed

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Introduction

This compliance assessment report details a pre-planned inspection conducted by NRW on the 29/11/22. The inspection covered a review of previous CAR (compliance assessment report) actions and a review of preventative maintenance/inspection of plant and equipment.

A site walkover was also conducted. Findings are detailed under relevant headings below.

An additional section at the end of the report also details an earlier emission limit breach.

Review of previous CAR actions

The Operator has provided a written response to the previous inspection (27/07/22) compliance assessment report (CAR_NRW0040167) actions as required.

The Operator confirmed the nature of the iHASCO online training provided to staff in relation to COSHH labelling.

A sample of recently completed environmental check sheets were available for review.

Maintenance

NRW met with the Plant Engineer to have an overview of plant maintenance. The operator has a computerised maintenance management system which has been developed in house. Within this maintenance system both safety and environmentally critical plant are identified. Maintenance tasks and work orders are generated at pre-determined frequencies. Maintenance completion dates are logged within this system which is of a very impressive standard.

Included as a preventative maintenance task is the annual service of the catalytic oxidiser (catox) abatement system for emission point A18. In addition, a log of Carbon Monoxide (CO), temperature of banks and outlet from the catox are recorded daily on a spreadsheet. An alarm for CO is set for 81ppm. The catalyst in the catox was reportedly replaced earlier this year in April, ahead of schedule.

The UF catchment pits were inspected and noted to be almost empty apart from the first one. These are reportedly used frequently due to wash down at least weekly in the melamine manufacture area. These catchment pits appear coated in resin due to the nature of the liquids being contained in them over time. In accordance with 'Review of Bunding Measures in line with CIRIA C736', these pits are reportedly cleaned twice a year to remove a build up of any solids. Once cleaned a visual inspection is conducted. However, records of such an inspection having been conducted were not available. Following the inspection, the Operations Manager conferred with staff responsible for such inspections and confirmed that no records of such inspections have been made.

NRW is of the opinion that this constitutes a breach of permit condition 2.3.5 because failure of these pits could have an impact on the environment and records of maintenance inspections are not kept (G3 – Maintenance Records C3 – minor).

ACTION 1: The Operator should ensure that maintenance and inspection records of all plant and

equipment whose failure could have an adverse impact on the environment are kept going forwards.

It is advisable that a photographic record of the inspection of the pits be retained, particularly if a report regarding condition/integrity is not produced by a contractor.

Site Walkover

A site walkover was conducted. The area of the yard adjacent to the phenol tanker unloading bay was flooded, preventing access to an emergency shower. The operator reported that this flooded area has an impact on the bunded phenol tanker unloading area. It causes the bunded area's capacity to be reduced, particularly when traffic passes and water from this flooded area is pushed into the bunded area. This has been addressed with Synthite (Permit BU2349), the landlord. A drain was unblocked and the situation is being monitored going forward.

The UF tanker loading area had some product spillage within the bunded connection area. The operator confirmed that this would be cleaned up and that there were plans to improve the configuration of this area.

ADVICE & GUIDANCE: The operator should share any plans for changes with NRW in writing in accordance with permit conditions.

Emission Limit Breach

On the 23/06/22 a formaldehyde exceedance from emission point A18 to air of 3.8 versus 2 mg/m³ limit was identified during routine annual testing.

NRW is of the opinion that this constitutes a breach of permit condition 2.2.1.3, Table 2.2.2 (E1 – Emissions to air – C3 minor).

The emissions are subject to scrubbing and catalytic oxidation prior to discharge to atmosphere through the stack.

The scrubber A504 was cleaned and refilled with caustic solution but the packing not replaced. The operator plans to bring forward their cleaning regime frequency to every 3 months and replace the internal packing. A re-test was conducted on 15/07/22 and reportedly met the Formaldehyde emission limit of 2 mg/m³.

ADVICE & GUIDANCE: As per Action 1 above such scrubber maintenance should be recorded.

The catox CO monitor was recalibrated in April 2022. Data from the CO detector and pressure drop across the catox has been checked and there are reportedly no abnormal readings. Both Phenol and Methanol were within emission limit values.

A compliance score of CCS3 is considered appropriate.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.