

Compliance Assessment Report CAR_NRW0040991

Permit being assessed: BU2357IP.

For: Mostyn Chemical Works, held by Mostyn Chemical Works

At: Warwick Chemicals Dock Road , Mostyn, HOLYWELL, Clwyd, CH8 9HE.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 25/01/2023 between 10:00 and 13:30.

Parts of permit assessed: Various

NRW Lead Officer: Stuart Ross.

Report sent to: Peter Bryant, & Tony Beck, HSE Manager / Plant Manager on 27/01/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
D1 - Incident Management - Site security	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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
C1	Refer details section	10/02/2023
C2	Refer details section	10/02/2023

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.

At this time, we do not intend to take any further action.

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

This Compliance Assessment Report follows a site meeting and inspection to discuss and review site decommissioning. Delta Simons consultancy were also present.

1. Site Operations

Almost all plant and equipment has been decommissioned and isolated. Staff resource has reduced further as of 31/12/22 with a further reduction planned as of 31/01/23.

A small number of staff will remain present on site to oversee the dispatch of remaining product and acetic anhydride, the completion of any outstanding cleaning activities, management of surface water collection and associated monitoring.

No combustion plant is operational or will be restarted, the site been disconnected from the natural gas transmission network. The operator reported that the gas main has been nitrogen purged.

SDX security started on site 12/12/22 with two security guards present on site 24/7. An enhanced CCTV system has been installed.

The operator's consultants, Delta Simons, have submitted a permit surrender application to NRW for determination.

2. Site Inventory

333,065 kgs of acetic anhydride are stored within Tank T003 in Tank Farm 1. The contents of tank T002 have been transferred to T003 and the tank double water washed and made safe.

Since the previous inspection, two loads of acetic anhydride have been sent to a prospective buyer for testing. The buyer has subsequently committed to buy the remaining inventory and is arranging transport. The operator anticipates that approximately 11 collections will be required at a rate of 2 per week.

Action 1 – Provide NRW with a timetable for the removal of acetic anhydride from site. Please do so by 10/02/23.

Action 2 – Provide NRW with copies of the operational procedures and associated training records for personnel assigned responsibility as of 01/02/23 for the management and containment of acetic anhydride including bund water management and tanker loading. Please do so by 10/02/23.

Some finished and off spec product remains warehoused on site. Since the previous inspection the quantities have reduced significantly to 350 and 95 tonnes respectively. This material has been sold and continues to be dispatched to customers.

The Carboxymethyl Cellulose (CMC) hopper and lime silo cleaning is reportedly complete.

Approximately 2 tonnes of PFAS firefighting foam is due to be removed from site by

27/01/23.

The remaining sodium hydroxide inventory is due to be decanted into IBCs and removed from site by 27/01/23.

The asbestos skip has been removed.

Approximately 550 kgs of white diesel remain on site to be used in forklift trucks. Some lubricating oils and similar stock remain present and are stored in areas with secondary containment. The operator reports that these materials are classed as site assets and will form part of any site sale agreement. Delta Simons report that this has been detailed in the surrender application.

Action 3 - Site inventory and plant decommissioning records are being maintained – please submit a copy of the most up to date records to NRW by 10/02/23.

3. Surface Water Management & Monitoring

Surface water continues to be collected in the central collection sump and pumped to the wastewater holding tanks prior to discharge. DCWW have confirmed that surface water drainage from the site cannot be directed to foul sewer.

With the forthcoming loss of the EHSE Manager and other staff on 31/01/23 there is uncertainty as to how surface water will be managed, monitored and data reported to NRW in accordance with the permit.

Failure to manage and monitor wastewater discharges as per current arrangements would result in a breach of permit.

Action 4 - Provide NRW with copies of the operational procedures and associated training records for personnel assigned responsibility as of 01/02/23 for surface water management, monitoring and reporting to NRW. Please do so by 10/02/23.

Surface water / wastewater must continue to be managed and monitored in accordance with the permit unless otherwise agreed with NRW.

4. Surface Water Abstraction ('Mostyn Water')

The abstraction point has been isolated at the v notch and secured with a padlock. valves have been closed on site.

Abstraction data – the operator advised that they have registered to gain access to NRW's online abstraction monitoring data portal but have not entered data onto the system. The operator agreed to email abstraction data to NRW. NRW will provide further advice and guidance on this matter.

5. Monitoring Returns and Reporting

The operator will report the 2022 EPTR data using a spreadsheet as agreed with NRW.

For the period October - December 2022, please submit all monitoring returns to NRW as per normal permit requirements. Where applicable, please provide an explanation as to when emission points were decommissioned during this period.

From 01/01/23 onwards, there is no requirement for the company to submit nil returns for

decommissioned emission points (emissions to air) if the company makes a statement that these have been taken out of service and will not be recommissioned.

The operator may also wish to take this opportunity to seek agreement to cease reporting other requirements as set out in the permit.

Please note, all returns for Emission Point W1 shall continue to be submitted quarterly as per permit requirements.

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.