

Compliance Assessment Report CAR_NRW0042657

Permit being assessed: BU2349IL.

For: Alyn Works, **held by:** Synthite Limited

At: Denbigh Road, Mold, Flintshire, CH7 1BT.

Type of assessment: Site Inspection,

Reason: Routine.

On: 18/10/2023 between 10:00 and 13:45.

Parts of permit assessed: See Below.

NRW Lead Officer: Philip Harper, accompanied by Kathryn Bradshaw.

Report sent to: Jayme Mountford, Technical Manager, on 20/10/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	C3 Minor	1.1.1a
IR3B - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	2.2.3.3

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

Total 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
IR1A	See main text	01/12/2023
IR3B	See main text	05/01/2024

Compliance 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

On the 18th October 2023 a site inspection was undertaken at TS Resins Limited, Alyn Works, Denbigh Road, Mold, Flintshire, CH7 1BT by NRW officers Phil Harper and Kathryn Bradshaw (Senior Officer - Industry & Waste Regulation).

The companies TS Resins and Synthite both operate from the Alyn Works site with Synthite acting as landlord for the general site.

During the site inspection the following environmental issues were noted on areas of the site which are not permitted under the T S Resins permit and therefore, are the responsibility of Synthite.

Hardstanding Integrity

There were a number of locations where the hardstanding was cracked or extensively eroded so as not to provide a sufficient impermeable barrier to contaminants/ pollution. These were pointed out to the operator during the inspection, specifically under the tanker around the tank farms. These areas were found to be outside the T S Resins boundary and not associated with the activities of T S Resins. The environment manager for Synthite was notified of the findings by NRW officers prior to leaving the site.

NRW are of the opinion that the above breaches Condition 2.2.3.3 of the Permit that requires '.. the Operator shall use BAT to prevent or where that is not practicable to reduce emissions to groundwater from the Permitted Installation provided always that the techniques used by the Operator are no less effective than those described in the Application..'. (IR3B- Emissions of substances not controlled by emission limits). A category 3 score has been applied.

ACTION 1: The Operator should review the condition of hardstanding across the site to ensure the integrity is sufficiently impermeable so as to prevent pollution. This review should include associated management procedures, maintenance, training, and monitoring. Provide a summary of the review findings together with any suggested actions for improvement with timescales by the **5th January 2024**.

Standing Water in Bunds

Standing water was observed inside secondary containment bunds. At the time of the inspection the standing water had been tested and was being pumped out.

Action 2: Continue to empty secondary containment bunds when required.

Containment

During the inspection, the draw off pipe for ammonia is outside the bunded area. There is a risk of spillage

from this pipe so it should either be within the bunded area or be provided with its own containment. Further guidance can be found within the CIRIA C736 document.

Action 3: Review all draw off pipe locations and ensure that they comply with guidelines set out by the CIRIA 736 guidance document, and provide a review of the required improvements and a plan with timings for the completion of the improvements to NRW by the **1st December 2023**.

Management System

The permit breaches highlighted within this CAR form can be attributed to the failure to operate the site in accordance with a suitable management system for example;

- Failure to ensure that the integrity of the hardstanding is reviewed on a regular basis.
- Failure to maintain the integrity of site infrastructure to an acceptable standard to reduce the likelihood of pollution.
- Failure to consider the requirements of BAT when installing infrastructure, for example, the draw of pipe for ammonia.

The breaches highlighted demonstrate a serious lack of awareness of the requirements of the sites environmental permit. This increases the potential risk of environmental harm being caused by the site.

A category 3 score has been applied against permit condition 1.1.1a under IR1A- General Management

Action 3. Review the sites environmental management system to ensure the following areas are considered by the **1st December 2023**;

- The review and maintenance of the hard standing across the site.
- Procedures to ensure that any new infrastructure is installed, it is done so in a manner which considers the requirements of BAT.

Kind Regards

Phil Harper

Senior Industry and Waste Regulation Officer NE

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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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.