

Compliance Assessment Report CAR_NRW0043002

Permit being assessed: BU2349IL.

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

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

Type of assessment: Audit,

Reason: Routine.

On: 16/11/2023 between 10:00 and 13:00.

Parts of permit assessed: See Below.

NRW Lead Officer: Philip Harper, accompanied by Carter Shone.

Report sent to: Jayme Mountford, Technical Manager, on 27/12/2023.

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	1.1.1
IR1E - Management - Avoidance, recovery and disposal of wastes produced by the activities	Action only (X)	
IR3E - Emissions and monitoring - Monitoring	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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 actions in main text.	31/01/2024
IR1E	See main text	31/01/2024

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

This Compliance Assessment Report follows an Operator Monitoring Audit (OMA) audit of the operator's monitoring provisions for emissions to air at various emissions points and to surface water at W1.

A hazardous waste audit was also undertaken during the inspection.

Please refer to the attached OMA reports for details of the audit findings, actions and recommendations (ref. NRW 2023 11 16 Synthite Air and NRW 2023 11 16 Synthite Water) corresponding to monitoring. The OMA to air score is 79 % and the OMA to water score is 82 %.

Please refer to the attached hazardous waste audit for findings, actions and recommendations (ref. Synthite Limited Hazardous Waste Audit 16NOV23) corresponding to hazardous waste audit.

Site Inspection

During the inspection the site was operational.

During the visit improved containment measures were observed at the agricultural chemicals storage area and accepts the measures as completion of action 3 from CAR_NRW0042010.

Natural Resources Wales is of the understanding that arrangements have been made for the degraded slabs observed and discussed within CAR_NRW0042657.

No further issues relating to permit compliance were observed.

Actions Arising from OMA for Air Monitoring

OMA 1 Management of Monitoring

During the OMA it was found that procedures are in place to schedule the sampling. However, the procedures do not describe what actions are to be taken by the operator when samples are missed. Samples were missed in Q1 2023 and not repeated.

Monitoring data is reviewed by entering it onto a master spreadsheet where condition automatically turns values orange where a value greater than 80 % is passed and red where the permitted emission limit values are breached. However, there are no procedures in place to describe what actions are to be taken by the

operator if values at greater than 80 % of the permitted emission limit value is observed.

Advice and guidance: the operator would be able to better demonstrate an understanding of the monitoring requirements by improving the areas of the environmental management system which describe what actions are to be taken in the event of missed samples and where sample results exceed 80 %.

OMA 2 Periodic Monitoring and Test Laboratories

A review of the site specific plan for monitoring at Synthite showed that exhaust gases were extracted directly from a single boiler at emission point A17 during a quarterly monitoring campaign. The permit for Synthite describes that A17 is an unabated emission point for three natural gas fired boilers. However, Natural Resources Wales is of the understanding that of the three, only two boilers are operational with one boiler as duty and the other as standby at any time.

The permit requires that monitoring is undertaken at A17 every 6 months. However, the operator is undertaking monitoring at A17 on a quarterly basis with the operational boilers being tested alternately. As only one boiler operates at any one time this is regarded as being representative.

Action 1: In future ensure that the boiler tested is clearly identified within the monitoring returns that are submitted to NRW.

OMA 4 Quality Assurance

The operator was unable to provide a procedure for the auditing of monitoring contractors or evidence to show that contractors had been audited. The auditing of external monitoring providers is essential to ensure that the monitoring being undertaken is robust and representative of the site emissions.

A category 3 score against permit condition 1.1.1(a) **“The operator shall manage and operate the activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints”** has been applied under heading (IRA1 General Management).

Action 2: Update the environmental management system to incorporate the auditing of monitoring contractors by the **31st January 2023**.

Actions Arising from OMA for Water Monitoring

OMA 1 Management of Monitoring

As discussed for the air monitoring OMA, monitoring data is reviewed by entering it onto a master spreadsheet where condition automatically turns values orange where a value greater than 80 % is passed and red where the permitted emission limit values are breached. However, there are no procedures in place to describe what actions are to be taken by the operator if values at greater than 80 % of the permitted emission limit value is observed.

Advice and guidance: the operator would be able to better demonstrate an understanding of the monitoring requirements by improving the areas of the environmental management system which describe what actions

are to be taken in the event of missed samples and where sample results exceed 80 %.

OMA 3 Continuous Monitoring

There are no maintenance contracts in place for the flow meter at W1. Whilst spare equipment is held on site, it is not of the same type as the flow meter which is currently installed at W1 and it cannot be guaranteed that the spare equipment is MCERTS rated.

Advice and Guidance: the operator is advised to arrange a maintenance contract for the flow meter at W1 and to ensure that appropriate spares are available.

Summary

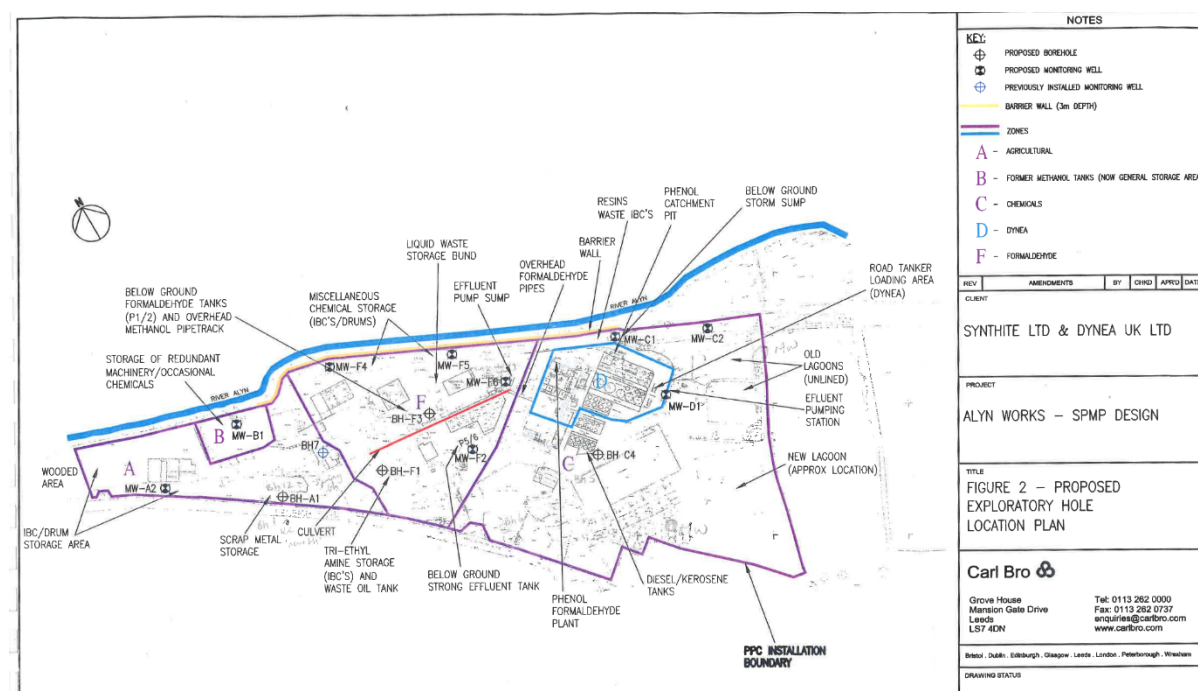
Overall, the operator was able to demonstrate a high level of compliance with the required standard for monitoring emissions to air and in general the scores for the site are of a high standard. The periodic monitoring techniques meet the requirements of the permit.

Surface and Groundwater Compliance Sampling.

On the 21st November 2023 surface and groundwater compliance sampling was undertaken by Natural Resources Wales as part of an ongoing investigation into understanding ammonia sources to river Alyn.

Water samples were taken at boreholes MW-C1 and MW-C2. The following observations were made by geoscience officers from NRW:

“Wellheads are generally in poor condition, with either broken, vulnerable, or missing covers and caps; this exposes the wells to runoff infiltration, contamination by dirt and from spillages. The two boreholes purged and sampled (MW-C1 and MW-C2) had 0.5 to 0.6 m of sediment / debris in the bottom and initially the groundwater was dark grey-brown to black. The assumption is that these wells had not been purged effectively and cleaned out (redeveloped) for some considerable time.”



A further visit to Synthite has been arranged for the 15th January 2024, the primary purpose of this visit is

locate and assess the condition the remaining boreholes on site, prior to providing further advice to the operator.

Analysis data for the water samples is not yet available and will be discussed in a later compliance assessment report.

Hazardous Waste Audit.

A hazardous waste audit was undertaken during the visit. As part of the hazardous waste audit a site tour was provided to view the current waste storage facilities. All wastes segregated depending on waste type and their properties.

A review of waste consignment notes found that the Standard Industrial Classification (SIC) Code was missing from waste transfer notes. The operator should ensure that this code is included on future consignment notes.

A full report of the audit findings can be found attached to this compliance assessment report.

Kind Regards

Phil Harper

Senior Industry and Waste Regulation Officer NE

03000 65 3717/ 07890025506

philip.harper@cyfoethnaturiolcymru.gov.uk

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.