

## Compliance Assessment Report CAR\_NRW0043271

**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:** 15/01/2024 between 10:00 and 16:00.  
**Parts of permit assessed:** See Below.

**NRW Lead Officer:** Philip Harper, accompanied by Rebecca Harwood.  
**Report sent to:** Jayme Mountford, Technical Manager, on 07/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3B - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.2.1
IR1A - Management - General management	C3 Minor	1.1.1a

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
IR3B	See actions in main text	14/03/2024
IR1A	See actions in main text	14/03/2024

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**

At 10:00 am on the 15<sup>th</sup> January 2024 a site visit was undertaken at Synthite Limited, Alyn Works, Denbigh Road, Mold, Flintshire, CH7 1BT by NRW officers Phil Harper, Rebecca Harwood (Senior Industry & Waste Regulation) and Ian Jones (Lead Specialist Advisor Hydrogeology).

The focus of the visit was to locate and observe the condition of groundwater monitoring boreholes at the site. This work complements surface and groundwater sampling works which were undertaken at the site on the 21<sup>st</sup> November 2023 and discussed in compliance assessment report CAR\_NRW0043002. Monitoring results for samples taken on the 21<sup>st</sup> November 2023 will also be discussed in a separate compliance assessment report.

### **Site Inspection 15<sup>th</sup> January 2023.**

At the time of the inspection the site was operational, overall, the site was in a good condition. A low gated bund has been installed to improve containment near the lagoon yet provide vehicular access. The operator is awaiting the installation of a rubber seal around the gate. Once complete, this will improve containment measures.

### **Groundwater Monitoring Boreholes**

The permit requires that groundwater monitoring is undertaken at the following boreholes; B/H1, B/H8, B/H9, B/H10, B/HA, B/HB and SP4, with monitoring data being reported to Natural resources Wales.

The scope of the inspection on the 15<sup>th</sup> January 2024 was to visually inspect and survey the condition of borehole headworks. In addition the depth of the boreholes was compared to drilling records. A table showing observations for all boreholes surveyed during the inspection is attached to this compliance assessment report for information.

Some common issues were identified during the borehole survey;

- Boreholes were not furnished with a waterproof cap or stopper (plug) to prevent the ingress of substances, including surface water and sediments.
- Many of the boreholes are fitted flush to the ground surface, lacking surface completions which prevent the pooling of water at the borehole or the borehole acting as a drain.
- Boreholes contain sediments which are likely to prevent a representative sample of groundwater being removed for analysis.

Boreholes that allow ingress of potential pollutants to groundwater present a significant risk to groundwater and down gradient receptors, providing a short-cut to groundwater that is usually partially protected by overlying soils, sediments and impermeable surfaces such as concrete.

During the inspection the Technical Manager for Synthite Limited disclosed that pesticides were used around borehole B/H8 to control ants and slugs. The spraying of pesticides in and around a borehole presents a further risk to groundwater and is not acceptable.

Permit condition 3.2.1 states that *“Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.”*

**The failure to ensure that boreholes are sealed to prevent the ingress of pollutants has attracted a category 3 score against permit conditions 3.2.1 under subheading IR3B Emissions of substances not controlled by emissions limits.**

The failure to ensure that the ingress of water and pollutants is avoided at boreholes demonstrates a lack of awareness of the requirements of the sites environmental permit, increasing the potential risk of significant environmental harm being caused by the site.

**A category 3 score has been applied against permit condition 1.1.1a under subheading IR1A for General Management.**

Natural Resources Wales advises that following works are completed to ensure that groundwater samples are representative and to ensure that the best possible protection is provided to groundwater and the wider environment.

1. Boreholes should be redeveloped (cleaned out and flushed) under the supervision of a Hydrogeologist or other suitable professional, so they provide representative groundwater samples and groundwater elevations.
2. Boreholes should be furnished with a waterproof cap or stopper (plug) to prevent ingress of water, sediment, pollution etc.
3. Boreholes should have surface completions (i.e. slightly raised) to prevent the pooling of water at the borehole or the borehole acting as a drain.
4. Ideally borehole / well box lids / tops should be secured with bolts or ‘keys’ to prevent easy access or accidental opening of the lid.
5. Professionally survey the boreholes to an accuracy of 0.1 m location (NGR) and 0.005 m elevation (to a marked point or points to use for measuring depth of groundwater, usually the top of the borehole casing and ground level).
6. Boreholes should be fitted with a new in-situ sample tube (Polyethylene) to suit sampling with either a small 12 volt submersible pump or Waterra inertia valve.
7. Conduct 2 to 4 quarterly sampling rounds to define current conditions and write up in the site condition report.

Environment agency document SC020093 contains useful advice around the design and installation of groundwater monitoring points. The document can be found using the following link; [Microsoft Word - EAGuidanceReportJG\\_1 checked spb.doc \(publishing.service.gov.uk\)](#).

**Action 1:** Provide Natural Resources Wales with a timeline for the completion of the borehole works by the **14<sup>th</sup> March 2024**.

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](mailto: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](mailto: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.