

Compliance Assessment Report CAR_NRW0043427

Permit being assessed: BU2349IL.
For: Alyn Works, **held by:** Synthite Limited
At: Denbigh Road, Mold, Flintshire, CH7 1BT.

Type of assessment: Report/Data Review,
Reason: Routine.
On: 31/12/2023.
Parts of permit assessed: See Below.

NRW Lead Officer: Philip Harper.
Report sent to: Jayme Mountford, Technical Manager, on 16/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Emissions and monitoring - Monitoring	C3 Minor	3.5.1(a)
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2

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
IR3E	See Actions in main text	15/03/2024
IR3A	See actions in main text	15/03/2024

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

This Compliance Assessment Report follows a review of monitoring data for Q4 and annual reporting for the 2023 period.

Quarter 4 monitoring data for Synthite Limited, Mold Chemicals (Alyn Works), Alyn Works, Denbigh Road, Mold, Flintshire, CH7 1BT was submitted to Natural Resources Wales (NRW) as required by permit condition 4.2.3 on the 2nd February 2024 after an agreed extension.

NRW received reporting for all annual parameters required by the permit. No issues were identified.

Quarterly Monitoring – Q4 (October – December), due 31st December 2023

Emissions to Water

Monitoring for water emissions has been undertaken in accordance with the environmental permit, the following observations have been made.

Volumetric Flow Rate

A maximum discharge volume of 1263 m³ at W1 was reported against the permitted emission limit of 700 m³ per day, which was recorded on the 23rd October 2023.

A corresponding schedule 5 notification was received on the 23rd October 2023. The schedule 5 notification provided the following information; *“Essential dewatering of the field opposite to prevent flooding of the area to nearby residential property during Storm Babet, like Storm Christoph during January 2021.”*

Part B of the schedule 5 notification provides additional information as shown below;

“The water directed to W1 was clean groundwater, that would have made its way to the river if the barrier wall was not in place. No chance of pollution to the river because the clean groundwater travels directly through pipework from the field to the W1 outfall.”

Whilst the reported daily volume of 1263 m³ is over the permitted limit of 700 m³ per day, severe weather was being experienced at the time of the report and the over pumping of water was necessary to prevent flooding. **No score has been applied.**

Emissions to Air

Monitoring was undertaken as required by permit condition 3.5. However, monitoring at emissions points A10 and A11 were missed by the contractor. A schedule 5 notification was received on the 2nd February 2024, providing the following information; *“A10 - formaldehyde and TVOC were in the SSP but contractor did not test, so tested during Q1 2024 (12/01/24). A11 - formaldehyde was missed during Q4, so tested in Q1 2024*

(29/01/24).”

Monitoring was quickly rescheduled for the missed samples.

Monitoring for Q4 2023 has been undertaken at A10 on the 12th January 2024.

Monitoring for Q4 2023 has been undertaken at A11 on the 29th January 2024.

Failure to ensure the monitoring was undertaken as per the permit is a permit breach under permit condition 3.5.1(a) *“The operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake the monitoring specified in the following tables in schedule 3 to this permit point source emissions specified in tables S3.1, S3.2 and S3.3;”*

A category 3 score has been applied against permit condition 3.5.1(a) under subheading IR3E Monitoring.

Emission Point A10

Monitoring for formaldehyde was undertaken at emission point A10 on the 12th January 2024. No emissions limit breaches have been identified at A10 during Quarter 4 of 2023.

Emission Point A11

Formaldehyde

Monitoring for formaldehyde at A11 was undertaken on the 29th January 2024. Results are not yet available.

Total Volatile Organic Carbon TVOC.

Monitoring for TVOC at A16 was undertaken on the 9th November 2023. A result of 61.1 mg/m³ was provided. This is a breach against the permitted limit of 30 mg/m³.

A category 3 score has been applied against permit condition 3.1.2 ((IR3A) Emissions to water, air or land).

A schedule 5 notification which relates to the breach was received on the 29th November 2023. The notification gave limited information regarding the cause of the breach.

Action 1: Report findings of the investigation and complete part B of the schedule 5 notification by the **15th March 2024**.

No further breaches to air were identified.

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.