

## Compliance Assessment Report CAR\_NRW0044737

**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:** 31/03/2024.

**Parts of permit assessed:** See Below.

**NRW Lead Officer:** Philip Harper.

**Report sent to:** Technical Manager, Technical Manager, on 15/07/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	Action only (X)	
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR1A - Installations - Management - General Management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
4	16

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
IR3A	See action 1 in main text.	09/08/2024
IR3A	No Action required.	Already completed
IR3A	See action 2 in main text.	Already completed
IR3A	See actions 3 and 4 in main text.	09/08/2024
IR1A	See actions in main text.	Already completed

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 Q1 2024.

Quarter 1 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 25<sup>th</sup> April 2024 in line with the requirements of the permit.

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

### **Quarterly Monitoring – Q1 (January – March), due 31<sup>st</sup> March 2024.**

#### **Emissions to Water W1**

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

#### **Total Suspended Solids**

The total suspended solids at W1 were reported at 18 mg/L. Whilst this value is below the permitted limit of 20 mg/L, there has been a significant increase in the levels of suspended solids compared to Q4 of 2023 where a value of 0 mg/L was reported.

**Action 1:** Provide comment regarding the increase in suspended solids at emission point W1 by the 9<sup>th</sup> August 2024.

#### **Emissions to Sewer S1**

No breaches were identified.

#### **Emissions to Air**

Monitoring was undertaken as required by permit condition 3.5.

#### **Emission Point A11**

Formaldehyde

Monitoring for formaldehyde at A11 was undertaken on the 29<sup>th</sup> January 2024. A result of 6.6 mg/m<sup>3</sup> was provided. This is a breach against the permitted limit of 5 mg/m<sup>3</sup>.

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

Air emission point A11 is no longer in use following the Synthite fire on the 30<sup>th</sup> April 2024. No further actions are necessary.

#### **Emission Point A12**

Formaldehyde

Monitoring for formaldehyde at A12 was undertaken on the 29<sup>th</sup> January 2024. A result of 11 mg/m<sup>3</sup> was provided. This is a breach against the permitted limit of 5 mg/m<sup>3</sup>.

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

A schedule 5 notification was received for breach on the 19<sup>th</sup> February 2024, which provided the following information;

*"This emission point serves as LEV from a staffed manufacturing area only. We consider the result to be false because the WEL of formaldehyde is 2 ppm, and any concentration greater than approximately 5 ppm is unbearable to work in. We consider the result to be an outlier. A retest is scheduled for next month."*

**Action 2:** Continue to monitor at this location and investigate any trends.

#### **Emission Point A15**

Formaldehyde

Monitoring for formaldehyde at A12 was undertaken on the 29<sup>th</sup> January 2024. A result of 11 mg/m<sup>3</sup> was provided. This is a breach against the permitted limit of 5 mg/m<sup>3</sup>.

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

A schedule 5 notification was received in conjunction with the breach on the 19<sup>th</sup> of February 2024. The notification highlights that measures that have been taken to ensure that the abatement at A15 is working as it should and measures that have been employed by the operator reduce air emissions during tank loading.

Future measures have been described as below;

*“Our long-term plan is to install a new CatOx for the abatement of this, plus other emission points. A15 stack emission point will become redundant.*

*In the meantime the following practices have been adopted to reduce the loadings/emissions from A15: tankers are back vented where possible, so the ullage transfers back into the storage tanks, not through the wet scrubber; one tanker is loaded at a time, not multiple tankers, so as to reduce the loadings on the scrubber; and, the replenishment of the scrubber liquor has been increased from weekly to daily.”*

**Action 3:** Continue to monitor at A15 and investigate any trends.

**Action 4:** Provide an update to NRW for installation of the new CatOx abatement by the 9<sup>th</sup> August 2024.

**No further breaches to air were identified.**

**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;

- Continued permit breaches in relation to emissions limit exceedances.
- Failure to ensure that the environmental management system is adequate to prevent permit breaches.

The breaches highlighted demonstrate a lack of awareness of the requirements of the sites environmental permit. This increases 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 C2 Management system and operating procedures.**

Kind Regards

**Phil Harper**

**Senior Industry and Waste Regulation Officer NE**

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**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](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.