

## Compliance Assessment Report CAR\_NRW0045616

**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:** 22/10/2024 between 10:00 and 11:30.

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

**NRW Lead Officer:** Philip Harper, accompanied by Jamie Blythin.

**Report sent to:** Technical Manager, Technical Manager, on 09/12/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.2.3
IR1A - Installations - Management - General Management	C3 Minor	1.1.1a
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	3.1.2
IR1A - Installations - 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
5	20

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.	17/01/2025
IR1A	See actions in main text,	17/01/2025
IR3A	See actions in main text	Already completed
IR3A	See actions in main text	Already completed
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

### **Site Inspection 22<sup>nd</sup> October 2024.**

At 10:00 on the 29<sup>th</sup> June 2024 a site inspection was undertaken by NRW officers Phil Harper and Jamies Blythin, Senior Industry & Waste Regulation.

This compliance assessment report covers findings during the inspection and a review of the monitoring data for quarter 3 (July – September) of 2024.

The review of this data is discussed later in this compliance assessment report.

### **General Site Condition**

A general site walkover was undertaken. The site has been visited frequently since the 30<sup>th</sup> April 2024, no further issues were identified.

### **Storage of Materials**

A partial inspection of the storage of raw materials and products was undertaken during the visit. Inspection of the top agricultural chemical site found IBCs containing product stacked adjacent to the site boundary at a height of three IBCs. The stacking of IBCs at this height against the site boundary increases the risk of the

jetting of polluting materials outside of the site boundary in the event of a catastrophic container failure, or the toppling of a container from the stack.

An inspection of the flammables store at the lower end of the site found that whilst IBCs benefitted from a roofed secondary containment area. IBCs were again stacked against and higher than the bund wall. Allowing for a risk from the jetting of chemical substances and the toppling of containers outside the site boundary.

Whilst site managers were observed to have a good understanding of stack heights, storage manuals which were provided by the operator following the inspection did not stipulate instructions for stack heights, or separation distances between filled IBCs and the site boundary.

Natural Resources Wales is of the opinion that due to the risk of jetting and the toppling of IBCs onto areas of unmade ground at the site boundary, the storage of IBCs at Synthite contravenes permit condition 3.2.3 "All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container".

**A category 3 score has been applied against permit condition 3.2.3 under subheading IR3B- Emissions of Substances Not Controlled by Emissions Limits.**

The operator was provided advice and guidance regarding the storage of IBCs within compliance assessment report CAR\_NRW0040147 which provided an action to ensure that procedures for ensuring that the risks from IBC containers at the site was minimised were documented within procedures.

**Failure to ensure that management procedures were at the standard required to inform site operatives of the storage requirements of IBCs has attracted a category 3 score against permit condition 1.1.1a under subheading IR1- General Management.**

**Action 1:** The Operator should review storage of IBCs at the site to ensure adequate secondary containment to enable compliance with the permit. The review should include associated management procedures, training, monitoring and inspection. Please provide a summary of the review findings together with any suggested actions for improvement with timescales by 17/01/2025.

#### Lagoons

At the time of the inspection the sites effluent lagoons were inspected. No breaches of containment were evident.

#### **Quarterly Monitoring of Results- Q32 (July – September), due 30th September 2024.**

Quarter 3 monitoring data for Synthite Limited, Mold Chemicals(Alyn Works), Denbigh Road, Mold, Flintshire, CH7 1BF were submitted to Natural Resources Wales in accordance with permit condition 4.2.3.

#### **Emissions to Water**

Monitoring for water emissions at W1 has been undertaken in accordance with the environmental permit.

**No permit limit breaches have been identified at permitted emission point W1.**

#### **Emissions to Sewer**

Monitoring for emissions to sewer at S1 has been undertaken in accordance with the environmental permit.

**No breaches have been identified.**

#### **Emissions to Air**

##### **Emission Points A10 and A11**

No data has been provided for emission points A10 and A11. These emission points are associated with the paraformaldehyde grinding process and are no longer operated.

**Action 2:** The operator is advised to clearly denote that these emission points are no longer operable in future monitoring returns.

##### **Emission Point A12- Fabric Filters Paraformaldehyde Production**

Formaldehyde

Monitoring for formaldehyde at A12 was undertaken on the 19th July 2024. A result of 14.2 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 5th August 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.”

##### **Emission Point A15- Wet Scrubber, Tanker Loading of Formalin**

Formaldehyde

Monitoring for formaldehyde at A15 was undertaken on the 19<sup>th</sup> July 2024. A result of 8.5 mg/m<sup>3</sup> was provided. This in breach of the permitted limit of 5 mg/m<sup>3</sup>.

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

NRW is aware that the operator is continuing to explore the use of a catalytic oxidation system and has made changes to tank filling operations to reduce the load on A 15.

No further emissions limits breaches were identified.

**Management System**

Continued emissions limit breaches indicate that the environmental management system is inadequate to prevent permit breaches.

**A category 3 score has been applied against permit condition 1.1.1a under IR1A Management system and operating procedures.**

**Action 3:** Continue to undertake emissions monitoring and investigate any trends.

**Action 4:** Continue to update NRW regularly with regard to the progress of the catalytic oxidiser.

Kind Regards

**Phil Harper**

**Industry and Waste Regulation Officer NW**

**03000 65 3717/ 07890025506**

**[philip.harper@cyfoethnaturiolcymru.gov.uk](mailto: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.