

Compliance Assessment Report CAR_NRW0038411

Permit being assessed: BU2357IP.

For: Mostyn Chemical Works, held by Mostyn Chemical Works

At: Warwick Chemicals Dock Road , Mostyn, HOLYWELL, Clwyd, CH8 9HE.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 24/06/2021.

Parts of permit assessed: Compliance assessment 1 January - 24 June 2021

NRW Lead Officer: Ian Oakes.

Report sent to: Peter Bryant, SHES Manager on 24/06/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E2 - Emissions - Land and groundwater	C3 Minor	2.2.7
E1 - Emissions - Air	C3 Minor	2.2.1
E3 - Emissions - Surface water	C3 Minor	2.2.2
E1 - Emissions - Air	C3 Minor	2.2.1
E3 - Emissions - Surface water	C3 Minor	2.2.2
F2 - Amenity - Noise	Assessed (A)	

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

Total number of 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
E2	Refer text	Already completed
E1	Refer text	Already completed
E3	Refer text	Already completed
E1	Refer text	Already completed
E3	Refer text	Already completed

Action 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

Lubrizol (Warwick) compliance assessment 1 January – 24 June 2021

1. 13 January 2021 – Leak from Wastewater Tank 1

A leak was identified on the base of Wastewater Tank 1 estimated at 300 to 400 kgs per hour to ground with a pH 8.5 and COD 883 mg/l. NRW was contacted, measures taken to minimise usage and a lined sump was created to capture the discharge.

The tank was emptied on the 19th January and the joint between the enamel wall and concrete floor was found to have failed. A chemical resistant mastic sealant was used to repair the joint. Both tanks are to be inspected mid-year and thickness tested.

The Wastewater tanks are on a point adjacent to the Dee Estuary with groundwater flow NW under it. A round of groundwater monitoring was undertaken in February 2021 with Borehole 4 quite close to the tanks not indicating any change to trends.

Considered a breach of Condition 2.2.7 No emission from the permitted installation shall be made to land. A CCS3 score is considered appropriate. Actions completed.

2. 24 March 2021 - NOx breach to air at emission point A14 chemical residues incinerator.

The incinerator restart following weekly blowdown checks had proved to be problematic and the NOx readings remained high for some time. The steam atomising valve was adjusted to bring the NOx emission value down. Procedures have been reviewed.

Considered a breach of Condition 2.2.1 Emission limits to air. Daily average NOx exceedance of 654 versus 400 mg/l. A CCS3 score is considered appropriate. Actions completed.

3. 12 April 2021 - Suspended solids breach to surface water at emission point W1 Dee Estuary.

The discharge occurred at 02.00hrs and had evidence of filament like material (fungal hyphae). Both tanks had been cleaned out in January, so unlikely a build-up of hyphae. The average suspended solids for Q1 2021 were 33 mg/l, 47 mg/l, and 20 mg/l respectively and for April (to date) at 64mg/l. All the other parameters were within consent.

Considered a breach of Condition 2.2.2 Emission limits to water. Suspended solids exceedance of 300 mg/l versus 250 mg/l over a discharge period of two hours. A CCS3 score is considered appropriate. Actions completed.

4. 23 April 2021 - NOx breach to air at emission point A14 chemical residues incinerator.

The application of steam to the injection nozzle during the start-up results in the NOx emissions coming down below the 400mg/m3 limit. This was carried out a couple of times before it became effective with NOx

emissions of 874mg/m³ at 07.46hrs and 269mg/m³ at 13.12hrs and reducing from there. On this occasion it took much longer than expected. Operating procedures and operator competence have been reviewed.

Considered a breach of Condition 2.2.1 Emission limits to air. Daily average NO_x exceedance of 444 mg/l versus 400 mg/l. A CCS3 score is considered appropriate. Actions completed.

5. 28 May 2021 - Suspended solids breach to surface water at emission point W1 Dee Estuary.

The discharge occurred at 14.54 and again had evidence of filament like material (fungal hyphae). As noted previously both tanks had been cleaned out in January and the average suspended solids for April and May were 58 mg/l and 60 mg/l respectively. All the other parameters were within consent.

Both holding tanks are being cleaned out during the June 2021 maintenance shutdown and the chlorine dioxide dosing system for the Mostyn water is being replaced with new equipment.

Considered a breach of Condition 2.2.2 Emission limits to water. Suspended solids exceedance of 365 mg/l versus 250 mg/l over a discharge period of two hours. A CCS3 score is considered appropriate. Actions completed.

6. 29 May 2021 – Noise incident

Condition 2.9 Noise and vibration

2.9.1 The Operator shall use BAT so as to prevent or where that is not practicable to reduce emissions of noise and vibration from the permitted installation, in particular by:

- equipment maintenance e.g. of fans, pumps, motors, conveyors and mobile plant;
- use and maintenance of appropriate attenuation e.g. silencers, barriers, enclosures;
- timing and location of noisy activities and vehicle movements;
- periodic checking of noise emissions, either qualitatively or quantitatively; and
- maintenance of building fabric,

provided always that the techniques used by the Operator shall be no less effective than those described in the Application, where relevant.

Noise incident:

The site received a call at 01.45hrs on Saturday from a neighbour reporting that a noise was preventing sleep. Granulation 2 Blowing Unit was identified as a possible source and was confirmed off site 'noise level suddenly rose for a period of time and then decreased' in line with Granulation 2 Blowing Unit under load. The unit was shutdown and a review of the acoustic building the blower unit is housed in is to be undertaken to assess effectiveness.

Compliance:

Noise complaints are reviewed on a case by case basis and are infrequent at the site. The actions taken by the Operator are consistent with the requirements of the permit condition. Actions completed / in hand.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.