Compliance Assessment Report

Report ID:
CAR_NRW0035352

This form will report compliance with your permit as determined by an NRW officer					
Site	Alyn Works EPR/BU2349IL	Permit Ref	BU2349IL		
Operator/Permit holder	Synthite Limited				
Regime	Installations				
Date of assessment	26/06/2019	Time in	10:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Containment and small volume storage, mains water burst review				
Lead officer's name	McGregor-Andrew, Sian				
Accompanied by	Kelk, Matthew				
Recipient's name/position	Jayme Mountford/ Technical Manager	Date issued	17/07/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	**CCS Category**	**Condition(s) breached**
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	2.2.3.3
C4 - General Management - Storage, handling labelling and Segregation	C3	2.5.1
E2 - Emissions - Land and groundwater	C3	2.2.7.2

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	3	**Total compliance score** (see section 5 for scoring scheme)	12

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Site visited 26 June 2019 following mains water leak and to review small volume storage and containment within both Synthite and TS Resins permitted areas.

Mains water leak

A small volume leak from the Dŵr Cymru mains water pipeline beneath the site was detected on 28/05/2019. The minimal rate of leakage did not impact on the effluent treatment plant, manufacturing, storage or loading activities on site. Essential water supply was maintained throughout the repair and reinstatement works. DCWW are considering re-routing the pipeline. The on-site leak was contained and reported to NRW by email promptly.

Impermeable surfaces and drainage

- The majority of the site has either concrete or tarmac surfacing, there is a small area adjacent to the workshop that has loose surfacing material that is not impermeable. No products or liquid wastes are stored here, however there is a surface water collection drain at the edge of this area which allows flows to the surface water collection system (being directed to the ETP) to overflow onto the permeable surface. This area appears to be the last remaining unsurfaced area of the yard adjacent to the bund wall.

Action: Due to the risk of potential for contamination in the event of spillage or fire to be released to land this area must be surfaced with impermeable material. Please submit a proposal for the surfacing work with timescales for completion **by <u>12/08/2019</u>**.

- Formic acid containers are also stored adjacent to the workshop on the concrete yard area without secondary containment, most are nominally empty although some contained residual liquid on inspection. Any spillage from these containers would also potentially flow to this drain.

Action: Storage of formic acid containers to be reviewed. Until the resurfacing is completed only empty containers should be stored in this area, any containers with residual liquids should be stored away form the unsurfaced ground in an area that drains via impermeable surfacing **<u>by 12/08/2019.</u>**

- The pipework manifold between the two lagoons had a leaking seal, which was replaced immediately during the audit. The effluent was dripping onto unmade ground around the manifold, although there was no evidence of ponding or staining on the grass below.

Action: the provision of spill containment around the manifold should be reviewed and a plan for implementing appropriate measures to minimise the risk from potential leaks submitted to NRW **<u>by 16/09/2019</u>**.

Surface drainage to an area of permeable hardstanding and the leaking manifold are a breach of condition 2.2.7.2**, consolidated into a single CCS3 score under criteria E2.**

- Parts of the concreted yard area have over-surface water flow (e.g. water related to cooling processes) due to limited below-ground drainage systems. This water generally flows via access routes and roadway areas and drains to the effluent treatment plant, however the palletised waste drums adjacent to the paraformaldehyde production area are partly stored within the route of surface flow. The drums are plastic wrapped and all appeared in good condition. Potential for spillages or loss of containment to result in contamination of the surface water flow which currently flows to a drain adjacent to unsurfaced ground (See criteria E2 above).

Action: Review waste storage areas and the current arrangements for directing and collecting water to ensure that wastes are not stored in areas affected by surface water flows **by 12/08/2019**.

Condition 2.5.1 requires that 'The Operator shall design, maintain and operate all facilities for the storage and handling of waste on site such that ...the risk of accidental release to water or land are minimised'. **Scored as CCS3 breach under criteria C4**

- The condition of the concrete in the lower yard area from the TS Resins waste/ rework store area around to the lagoon access slope, in front of the warehouse and between the tank farm, waste pits and emergency dump tanks has visible cracking and joints that require repairs.

Action: Review the impermeable surfacing in this area and submit a plan with timescales for repairs **by 16/09/2019.**

This action is replicated on TS Resins' CAR form for the same audit, as the effected area spans both operator's permitted areas.

Condition 2.2.3.3 requires that '.. the Operator shall use BAT to prevent or where that is not practicable to reduce emissions to groundwater from the Permitted Installation provided always that the techniques used by the Operator are no less effective than those described in the Application..'. **Scored as CCS3 breach under criteria B1**

Storage areas

Clip-top drums/ IBCs stored outside between the warehouse and flammable store need to be provided with better access along the fence line. A drum was leaning on the fencing immediately adjacent to the unmade ground outside. Separation of at least one container width is required for access to the rear of the stack to allow inspection of condition of the containers and prevent spills onto unmade ground.

Action: Provide separation of at least one container width between the stored containers and the fence line, and review the integrity of the edge kerbing to ensure spills would be contained on the impermeable surfacing **by 16/09/2019.**

Labelling and records of wastes for disposal and rework.

Wastes stored adjacent to the paraformaldehyde production building in palletised, wrapped drums were labelled with the month of production. Around 6-months of wastes are currently waiting for a bulk removal.

recommendation: waste containers should be clearly labelled with contents as well as production month to ensure that non-site personnel (e.g. NRW, fire service, contractors etc.) can quickly identify the material they contain in the event of a spillage, fire or other emergency.

Records of all waste types stored for disposal or reworking for both TS Resins and Synthite permitted areas should be made available to relevant staff so that it is easily accessible during all operational hours in the event of a spillage, fire or loss of containment. This information is already partially available in a spreadsheet held by a manager on site.

Recommendation: Review the availability of current waste storage records and ensure that relevant staff are aware of how to access the information in the event of an emergency. This recommendation is replicated on TS Resins' CAR form as access routes in the event of emergency cross both operator's permitted areas.

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
E2	C3	See CAR form for details	12/08/2019
B1	C3	See CAR form for details	16/09/2019
C4	C3	See CAR form for details	12/08/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.