

Compliance Assessment Report CAR_NRW0041124

Permit being assessed: BV7460ID.

For: Newport Semiconductor Plant, held by Nexperia Newport Limited

At: Cardiff Road, Newport, South Wales, NP10 8YJ.

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

On 30/01/2023.

Parts of permit assessed: 4.2.2 Annual Reports 2022; 4.2.5 Solvent Management Plan 2022; 3.5.5 Emissions to Air

NRW Lead Officer: Rebecca Green.

Report sent to: Giovanni Mameli, Environmental Engineer on 09/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
E1 - Emissions - Air	Assessed (A)	
E4 - Emissions - Sewer	Assessed (A)	
E5 - Emissions - Waste	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
H1 - Resource Efficiency - Efficient use of raw materials	Assessed (A)	
H2 - Resource Efficiency - Energy efficiency	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
0	0

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?

No action required.

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.

At this time, we do not intend to take any further action.

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

Forms W1, Emissions to Water, 1st July to 31st December 2022; S1, Emissions to Sewer, 1st July to 31st December 2022; Air1, Emissions to Air 2022; WaterUsage1 2022; Energy1 2022 and Performance1 2022 were all received on 27th January 2023. The Solvent Management Plan 2022 was received on 31st January 2023.

The data in forms WaterUsage1 2021, Energy1 2021 and Performance1 2021 is subject to a "Commercial in Confidence" agreement and will not be placed on the Public Register. The information may be made available should Natural Resources Wales (NRW) receive a Freedom of Information request.

All the reports are accepted.

W1 Emissions to Water, 1st July to 31st December 2022

All parameters are within their respective emission limit values (ELV).

S1 Emissions to Sewer, 1st July to 31st December 2022

The pH breached the ELV in October. CAR_NRW0040562 refers; two non-compliances were issued.

There are no ELVs for the other emissions to sewer. All other determinands were at low concentrations.

Air1, Emissions to Air 2022

NO_x emissions were 95.6mg/m³; the ELV is 95mg/m³. After applying the measurement uncertainty, Natural Resources Wales (NRW) decided not to take further action. There is no limit for CO emissions.

WaterUsage1 2022

Total use was higher than in 2021 and about 20% higher per m² of silicon production (m² Si).

Energy1 2022

The CHP generated 18,787MWh of electricity in 2022. This is less than in 2021 but about 8% more per m² Si.

Total energy use was similar to that in 2021, but more than 10% higher per m² Si.

Electricity use was more than in 2021 and about 15% higher per m² Si.

Gas consumption was less than in 2021 and about 10% more per m² Si.

Oil consumption was higher than in 2021 and almost doubled per m² Si.

Performance1 2022

Production decreased by about 10% in 2022.

Total waste and solvent waste generated were higher than in 2021. The total waste generated was 1.5 times more per m² Si. The solvent waste generated was more than 40% higher per m² Si. All solvent waste is sent for recycling.

More hazardous waste was sent for disposal in 2022, increasing by 2.5 times per m² Si.

The hazardous waste sent for recycling was more than in 2021 and increased by more than 45% per m² Si.

The non-hazardous waste sent for recycling was higher in 2022, increasing by more than 1.5 times per m² Si.

The total waste recycled was higher than in 2021 and about 70% more per m² Si, but the total waste disposed of was also more than in 2021 and almost 2.5 times more per m² Si.

The increases in waste generation are due to the installation of new equipment, disposal of old equipment, a change in the method of chemical supplies and changes in product manufacture.

Solvent Management Plan 2021

The submission of an annual Solvent Management Plan (SMP) demonstrates compliance with the Industrial Emissions Directive (IED) and with Permit Condition 4.2.5 in Nexperia's permit.

Total solvent use increased in 2022 and will have increased per m² Si because production was less than in 2021.

Fugitive solvent emissions remain at an estimated 5% of total consumption. Monitoring of solvent emissions to air is carried out annually at emission points A1 and A10. NRW have seen the results for 2022. Nexperia state that they comply with the emission limit values set out in the IED.

Nexperia continue to use three substances bearing the prescribed hazard statements because there are no alternatives available at present.

The sale of Newport Wafer Fab to Nexperia earlier in the year has proved somewhat disruptive. Site improvements and changes in product mix have resulted in an increase in resource use and waste generation. This is disappointing, considering Nexperia's performance in 2021. NRW hope that Nexperia will be able to return to their previous performance levels in 2023.

END.

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.