

Compliance Assessment Report CAR_NRW0041281

Permit being assessed: BR9715IB.

For: Newport Chemical Complex, held by Solutia UK Ltd

At: Corporation Road , Newport, South Wales, NP19 4XF.

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

On 31/01/2023.

Parts of permit assessed: 4.2.2 Annual Reports 2022; 4.2.3 Emissions to Water Oct - Dec 2022

NRW Lead Officer: Rebecca Green.

Report sent to: Stephen Thomas, Environmental Specialist on 21/02/2023.

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)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
E1 - Emissions - Air	Assessed (A)	
E3 - Emissions - Surface water	Assessed (A)	
E5 - Emissions - Waste	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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 A1, Emissions to Air, 1st January to 31st December 2022; A2, Annual Emissions to Air 2022; R1, Waste Disposal and Recovery 2022; WU1, Water Usage 2022; E1, Energy Usage 2022; P1, Performance Indicators 2022 and W1, Emissions to Water, 1st October to 31st December 2022 were received on 27th January 2023. The Annual Activity Performance Review for 2022 was received on 31st January 2023.

All the reports are accepted.

A1, Emissions to Air, 1st January to 31st December 2022

All emissions were within their respective emission limit values (ELV), except for NO_x exceedances for emission points A26 and A27 in May 2022. This was prior to completion of the improvements on the Thermanol Pyrolysis Furnaces. Emissions are now less than the ELV for these emission points.

A2, Annual Emissions to Air, 2022

Emissions of all substances were less than their respective annual limits and lower than in 2021. All were higher per tonne of production (ptp).

Eastman have trialled a mass balance method of measuring chloromethane emissions as spot sample measurements can be inconsistent and propose using the mass balance method in the future. This will be discussed during the next site visit.

The benzene day tank has been mothballed, so the only emissions are from the bulk storage tank.

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

All parameters were within their respective ELV. The maximum flow rate was slightly higher than the ELV due to heavy and prolonged rainfall.

R1, Waste Disposal and Recovery, 2022

Total, non-hazardous and hazardous waste generated were all less than in 2021, but increased ptp. Disposal of non-hazardous waste was less than in 2021 and also less ptp. Recovery of non-hazardous waste was higher than in 2021 and increased ptp.

Disposal of hazardous waste increased significantly compared with 2021 and was much more ptp. This was due to the disposal of unwanted materials, which was an annual HSE Improvement Plan target. Recovery of hazardous waste was less than in 2021 and fell ptp by a similar amount to the reduction in production tonnage.

WU1, Water Usage 2022

Water usage was less than in 2021 but increased ptp, mainly due to the site shutdown and hot weather. The cooling system must be refilled after a site shutdown, increasing water consumption.

E1, Energy Usage 2022

Total energy use, gas and electricity consumption and CO₂ generation were all less than in 2021, but increased by a small amount ptp.

Electricity is supplied by the on-site gas and wind turbines. The condenser economiser continues to

capture and use waste heat energy.

P1, Environmental Performance Indicators, 2022

Production fell by more than 10%, compared with 2021, due to the site shutdown while repairs to the effluent pipeline were carried out.

COD in the discharged effluent was less than in 2021 and significantly less ptp.

VOC emissions were less than in 2021 but increased ptp.

The ozone creation score was similar to that in 2021.

Boiler 16 operated in auxiliary mode for considerably more hours than in 2021. There were a number of reasons for this, including the site shutdown, difficulties with boiler 14 and various outages and alarms. Future options are being reviewed.

Annual Activity Performance Review 2022

Most of the items in this review have been discussed under the relevant heading above.

Natural Resources Wales received three Schedule 5 Notifications from Solutia in 2022. They all concerned emissions to water and are detailed in CAR forms. All the relevant corrective actions have been completed.

Even though production decreased in 2022, the site still has significant baseloads which is the reason that some of the annual consumption rates have increased ptp, despite total consumption being less than in 2021.

Solutia have corporate and site energy efficiency and CO₂ reduction targets.

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.