

## Compliance Assessment Report CAR\_NRW0043285

**Permit being assessed:** BR97151B.

**For:** Newport Chemical Complex, **held by:** Solutia UK Ltd

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

**Type of assessment:** Report/Data Review,

**Reason:** Routine.

**On:** 30/01/2024.

**Parts of permit assessed:** 4.2.2 Annual Reports 2023; 4.2.3 Emissions to Water.

**NRW Lead Officer:** Rebecca Green.

**Report sent to:** Stephen Thomas, Environmental Specialist, on 05/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1C - Management - Energy Efficiency	Assessed (A)	
IR1D - Management - Efficient use of raw materials	Assessed (A)	
IR1E - Management - Avoidance, recovery and disposal of wastes produced by the activities	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3E - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Information - Reporting	Assessed (A)	

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

Total 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, 1<sup>st</sup> January to 31<sup>st</sup> December 2023; A2, Annual Emissions to Air 2023; R1, Waste Disposal and Recovery 2023; WU1, Water Usage 2023; E1, Energy Usage 2023; P1, Performance Indicators 2023 and W1, Emissions to Water, 1<sup>st</sup> October to 31<sup>st</sup> December 2023 were received on 25<sup>th</sup> January 2024. The Annual Activity Performance Review for 2023 was received on 30<sup>th</sup> January 2024.

All the reports are accepted.

### **A1, Emissions to Air, 1<sup>st</sup> January to 31<sup>st</sup> December 2023**

All emissions were within their respective emission limit values (ELV), except for CO exceedances for emission point A4. These are subject to an on-going investigation to optimise demand and operating conditions for Boiler 16.

### **A2, Annual Emissions to Air, 2023**

Emissions of all substances were less than their respective annual limits and lower than in 2022. NOx emissions were less than in 2022 but higher per tonne of production (ptp). Chloromethane emissions were much less than in 2022 and almost 50% lower ptp. Benzene emissions were slightly more than in 2022 and increased ptp.

### **W1, Emissions to Water, 1<sup>st</sup> October to 31<sup>st</sup> December 2023**

All parameters were within their respective ELV, except for formaldehyde. This is subject to an on-going investigation.

### **R1, Waste Disposal and Recovery, 2023**

Total and non-hazardous waste generated were more than in 2022 and increased ptp. The increase in total non-hazardous waste was particularly large. Less hazardous waste was generated, both in total and ptp.

Non-hazardous waste disposal was much higher than in 2022 and increased significantly ptp.

Recovery of non-hazardous waste was higher than in 2022 and increased ptp.

Hazardous waste disposal was less than in 2022 and decreased ptp. Less hazardous waste was recovered than in 2022 and decreased ptp.

The increases in non-hazardous waste generation can be explained by the decrease in production volumes and are also the result of a site improvement target to minimise waste accumulation.

**WU1, Water Usage 2023**

Water usage was less than in 2022 but increased ptp, mainly due to the site shutdowns and reduced production volumes. Cooling systems must be refilled after site shutdowns, increasing water consumption.

**E1, Energy Usage 2023**

Total energy use, gas and electricity consumption and CO<sub>2</sub> generation were all less than in 2022 and decreased 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, 2023**

Production volumes were significantly less than in 2022, mainly due to the site shutdown while repairs to the effluent pipeline were carried out.

COD in the discharged effluent was less than in 2022 but slightly higher ptp.

VOC emissions were less than in 2022 and decreased ptp.

The ozone creation score was slightly lower than that in 2022.

**Annual Activity Performance Review 2023**

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

Natural Resources Wales (NRW) received several Schedule 5 Notifications from Solutia in 2023.

They covered a variety of incidents or breaches of a permit condition and either have been or are being investigated. Where the Schedule 5 has been closed, appropriate corrective actions have been completed and CAR forms issued.

Following improvements to the TH3 furnace, NO<sub>x</sub> emissions are much less than in 2022 and benzene is below the limit of detection. NO<sub>x</sub> from the other two furnaces are very much less than the ELV.

Solutia do not propose to use the TH2 pyrolysis furnace in 2024.

The periodic Greater Crested Newts report is due and will be forwarded to NRW in due course.

Solutia have corporate and site energy efficiency and CO<sub>2</sub> 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.

**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.