

## Compliance Assessment Report CAR\_NRW0044096

**Permit being assessed:** BR97151B.

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

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

**Type of assessment:** Site Inspection,

**Reason:** Incident Response (Incident number 2308959).

**On:** 22/04/2024 between 10:30 and 12:30.

**Parts of permit assessed:** Site remediation after effluent pipeline leak.

**NRW Lead Officer:** Rebecca Green, accompanied by Wayne Grimstead, Emma Sharp.

**Report sent to:** Stephen Thomas, Environmental Specialist, on 22/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	Action only (X)	
IR4B - Installations - Information - Reporting	Action only (X)	
IR3E - Installations - Emissions and monitoring - Monitoring	Assessed (A)	
IR1A - Installations - Management - General Management	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?

Criteria	Action needed	Complete by
IR3B	Sample & analyse agreed grips.	Already completed
IR4B	Report results from grip analyses on or before due date.	Already

Criteria	Action needed	Complete by
		completed

Compliance 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.

#### **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

Gwent Wildlife Trust (GWT) requested a meeting with Natural Resources Wales (NRW) and Solutia to discuss the next steps in the remediation of Traston Meadows following the leak of treated effluent from the pipeline that runs under the meadows which occurred in November 2023.

NRW met with Solutia prior to inspecting the site to discuss progress with submitting Part B of the Schedule 5 Notification for the incident and to review NRW's analysis results.

Present at this meeting were - Environmental Specialist, Solutia; Engineering Manager, Solutia, Wayne Grimstead, Team Leader, Industry Regulation, SE Wales (IR SE), NRW and Rebecca Green, Site Regulatory Officer, NRW.

Progress with Schedule 5 B: - Solutia are still waiting for the failure investigation report. The contractors claimed to have a jig large enough to take the whole pipe section without having to cut it into sections; now it appears they do not. This is the cause of the delay.

The Schedule 5 B can be submitted once the report is received, but Solutia do not know when this might be. NRW will be in a position to conclude its investigation and issue the CAR form in respect of the effluent pipeline leak once the completed Schedule 5 B is received.

NRW's analysis results:- Analysis results for the water samples taken by NRW on 17<sup>th</sup> November 2023 were discussed. There are some differences with those from Solutia's analysis results (internal and external laboratories). Copies of NRW's results have been sent to Solutia for a more detailed comparison with their results.

#### **On-site, Traston Meadows**

Present - Engineering Manager, Solutia;  
 Environmental Specialist, Solutia;  
 Chief Executive (acting), GWT;  
 Nature Recovery Officer, GWT;  
 Reserves Manager, GWT;  
 Senior Projects Manager, Kaymar;  
 Emma Sharp, Environment Officer, NRW;  
 Wayne Grimstead, Team Leader SE IR;  
 Rebecca Green, Site Regulatory Officer, NRW.

The area of the spill is still fenced off with temporary (harris) fencing. GWT have no objection to its remaining until July or August and NRW and Solutia agreed with this approach. It will prevent users and their pets accessing the area and will give the vegetation time to regenerate undisturbed.

There are some sunken areas following the lines of two grips. The mud is grey-beige in both grips. A faint chemical odour could be detected in the left hand grip (when facing away from the car park) and the mud in the right hand grip revealed a black colour underneath the beige-grey top layer. NRW requested that samples were taken from three points in the left hand grip, one from the right hand grip and a reference sample from near the car park area. Samples should be analysed for organic contamination and, if possible, microbiological testing. The results should be sent to NRW as soon as Solutia receive them. (See actions **IR3B** and **IR4B** above).

**Update 20th May 2024:** Samples have been taken and analysed and no substances of concern were found. **Actions IR3B and IR4B have been completed and can be closed.**

Solutia were prepared to remediate the site further to level up the ground. GWT did not feel this was necessary, so NRW agreed that this did not need to be done.

The site is recovering well from what was a significant leak and major civil works to repair the pipeline. Solutia have been most conscientious in trying to restore the affected area to its previous condition.

**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.