

Compliance Assessment Report CAR_NRW0046190

Permit being assessed: BL2459IC.

For: Llanwern Hydrogen Plant EPR/BL2459IC, **held by:** Air Products (BR) Limited

At: Queensway Spencer Works , Newport, NP19 4QX.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: 4.2 Reporting.

NRW Lead Officer: Luke Burton.

Report sent to: Llanwern Plant Manager, Llanwern Plant Manager, on 07/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4B - Installations - 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

Condition 2.7.2 of the environmental permit states:

The Operator shall produce a report annually on the energy consumption of the installation. The exact scope of this report shall be agreed with [Natural Resources Wales] prior to submission. This report shall be sent to [Natural Resources Wales].

Condition 4.1.2 of the environmental permit states:

The Operator shall report the parameters listed in Table S2 Schedule 2 as follows:

- a. In respects of the emission points specified;
- b. From the reporting periods specified in Table S2 to Schedule 2 and using the forms specified in Table S3 Schedule 3
- c. Giving the information from such results and assessments as may be required by the forms specified in those Tables; and
- d. Sending the report to [Natural Resources Wales] within 28 days of the end of the reporting period.

Table S2 of Schedule 2 to the environmental permit is partially reproduced below:

Table S2: Reporting of monitoring data			
Parameter	Emission point	Reporting period	Period begins
Oxides of nitrogen (mg m ⁻³)	A1	Every 12 mths	01/04/02
Carbon monoxide (mg m ⁻³)	A1	Every 12 mths	01/04/02
pH	W1	Every 3 mths	01/04/02
Suspended solids (mg l ⁻¹)	W1	Every 3 mths	01/04/02
Oil and grease (mg l ⁻¹)	W1	Every 3 mths	01/04/02
pH maximum	W1	Every 3 mths	01/04/02
pH minimum	W1	Every 3 mths	01/04/02

Table S3 of Schedule 2 to the environmental permit is partially reproduced below:

Table S3: Reporting Forms		
Media/parameter	Form Number	Date of Form
Air	S3/A	11/03/02
Water	S3/W	11/03/02

Condition 4.1.4 of the environmental permit states:

Where the Operator has a formal environmental management system applying to the

Permitted Installation which encompasses annual improvement targets the Operator shall, not later than the 31 January in each year, provide a summary report of the previous years progress against such targets.

Condition 4.1.5 of the environmental permit states:

Fugitive emissions shall be reviewed on an annual basis and a summary report of this review shall be sent to [Natural Resources Wales] detailing such release and the measures taken to reduce them.

The report for condition 2.7.2 was sent to Natural Resources Wales via email on 21/01/2025 which represents compliance with the environmental permit.

The report submitted is for the reporting periods in condition 2.7.2 which represents compliance with the environmental permit.

The report submitted does meet the scope specified in condition 2.7.2 which represents compliance with the environmental permit.

Report(s) for condition 4.1.2 were submitted via email on 31/01/2025 (air), 03/04/2024 (water), 25/07/2024 (water), 06/11/2024 (water), and 21/01/2025 (water)

The report(s) submitted are the parameters and the emission points specified in Table S2 Schedule 2 which represents compliance with the environmental permit.

The report(s) submitted are for the reporting periods specified in Table S2 to Schedule 2 which represents compliance with the environmental permit.

The report(s) have been submitted using the forms specified in Table S3 Schedule 3 which represents compliance with the environmental permit.

The report(s) submitted include the information and results specified in Table S2 to Schedule 2 and Table S3 Schedule 3 which represents compliance with the environmental permit.

The report(s) submission was made within 28 days of the end of the reporting period which represents compliance with the environmental permit.

The report(s) demonstrate that the point source emission limits for water and air specified within Table 6.3.3 and 6.1.2¹ respectively, have been met which represents compliance with the environmental permit.

¹ Emission limit NO_x changed to 200 mg m³ as per Environment Agency Wales 04/02/2013 Report ID:RDR/130204/BL2459IC

Remark: Operator is encouraged to apply to vary their permit to incorporate this limit.

Report(s) for condition 4.1.4 were submitted via email on 21/01/2025

The report submitted is for the reporting periods in condition 4.1.4 which represents compliance with the environmental permit.

The report submitted does include a summary of progress against the previous year's annual improvement targets which represents compliance with the environmental permit.

The report(s) submission was made by the deadline specified which represents compliance with the environmental permit.

Report(s) for condition 4.1.5 were submitted via email on 21/01/2025

The report submitted is for the reporting periods in condition 4.1.4 which represents compliance with the environmental permit.

The report submitted does include a summary of the review of fugitive emissions detailing such release and the measures taken to reduce them which represents compliance with the environmental permit.

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 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.