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Our Ref: NRW/SE OPS/ Taff & Ely
I&WR / AK / Site Baseline Report
letter / 20180111

Your Ref: Enzygo Baseline Report
Nov 2016

Date: 11th January 2018

Dear Ian

HEXION UK LTD
ENZYGO SITE BASELINE REPORT: CRM. 516 .001 .HY.BR. 001 NOV 2016

Thank you for submitting the above report.

After consulting with NRW Geoscience colleagues and following the continuity of previous correspondence and reports, the comments below are provided with regard to the Enzygo report above.

1. Thank you for providing a baseline report for the site at Sully Moors Road, Penarth, Wales and for addressing the points made in our letter of the 5 January 2016.
2. We will be accepting the report as a record of reference data for groundwater quality and will not be asking for further changes to be made to **this** submission now.
3. Following publication of the BREF guidance for this industry sector your permit will be amended to reflect the requirement for a baseline report and periodic monitoring for soil and groundwater. At this point we will require that your site condition report/baseline report is amended/reviewed to incorporate the following issues.
4. The IED Directive has introduced new requirements for a baseline report and soil and groundwater monitoring at industrial installations in relation to relevant hazardous substances

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(RHS). However, it does not negate the existing and in some respects, wider requirements for protecting land and groundwater in the Environmental Permitting (England and Wales) Regulations 2010 (consolidated 2016, which reproduce the requirements of earlier versions of this legislation). Therefore, where there are risks to soil and groundwater from other potentially polluting substances **in addition** to RHS you will be required to monitor the quality of the soil, gas, and/or groundwater during the life of your permit. We assume you have monitoring data for these substances; reference data and proposals for soil and groundwater monitoring where relevant should be incorporated into the next revision of the SCR/baseline report. We recommend that the revised report include a table of RHS **and** other potentially polluting substances.

5. It was unclear how hazardous substances were identified in the 2006 PPC application report. The next review should ensure that hazardous substances are identified as hazardous substances in accordance with the Classification, Labelling and Packaging (CLP) Regulation ((EC) No 1272/2008).
6. Just because a substance is not in the ECHA database this does not mean it is not hazardous.
7. Soil sampling – soils data has not been reviewed. Following changes to the permit a revised baseline report will be needed that also covers soil quality at the site. Reference data has been provided in earlier reports and this should be reviewed to see if it is adequate and includes data on RHS and other potentially polluting substances.
8. Reference data has been provided for glycols, formaldehyde and phenol. However, we do not understand why you have not produced reference data for acetone, ethylene glycol and methanol. These were all detected in groundwater when sampling first took place. Whilst good pollution control systems are in place now, that does not mean they will be in place in the years ahead. They have the potential to cause soil and groundwater contamination (unless you wish to make that they can't considering their chemical and physical properties).
9. Table 2 – Materials Inventory – contains data on annual usage and production in tonnes. But what quantities of these substances are stored on site at any one time? This could be helpful in assessing the likelihood of that substance causing soil or groundwater contamination.
10. When your permit is next updated a periodic monitoring condition covering soil and groundwater will be included. A monitoring plan shall be submitted and approved by NRW. We recommend that you work towards this requirement.
11. Table 4 in the Enzygo report discloses some locations where pollution prevention measures may not be fully implemented or adequate – these locations will have to be reviewed. As EPR deals with events and pollution below COMAH MATTE thresholds, this will have to be addressed separately and on top of the COMAH Safety Report demonstrations.
12. The provision of the SCR baseline report is the first step in an iterative process covering the whole site lifetime up to and including a formal and successful surrender of the EPR permit. You should make reference to the latest EPR guidance H5 on SCR and in particular keeping lifetime records of restoration, remediation, clean-up, spills, pollution events etc. – this will aid any surrender and / or permit variation applications in the future – it is more straightforward to

declare pollution events and deal with them at the time, than have pollutants be identified at the SCR surrender stage.

I know that Hexion have been proactive in this regard and that approach is encouraged and should be maintained.

If you have any immediate comments on the content of this letter, please contact Andi Kemp.

Regards

A handwritten signature in black ink that reads "Andi Kemp". The signature is written in a cursive, slightly slanted style.

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