

Compliance Assessment Report CAR_NRW0039033

Permit being assessed: NP3335GR.

For: Ruabon Chemical Works, held by Solutia UK Ltd

At: Ruabon Works , Cefn Mawr , Wrexham , Clwyd , LL14 3SL.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 03/12/2021 between 09:30 and 13:10.

Parts of permit assessed: See below

NRW Lead Officer: Paul Challender, accompanied by Ian Oakes.

Report sent to: Stephen Thomas, Environmental Specialist, & Ian Biggs, Site Supervisor on 09/12/2021.

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)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
B5 - Infrastructure - Plant and equipment	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
D2 - Incident Management - Accidents, emergency and incident planning	Assessed (A)	
E3 - Emissions - Surface water	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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

This Compliance Assessment Report has been generated to cover the site inspection which took place on Friday 3rd December 2021 and the review of Q3 Monitoring Returns.

Site Inspection

This was a routine site inspection which also served as a handover visit from Ian Oakes to the new regulating officer Paul Challender. The inspecting officers met with Ian Biggs, the site supervisor and were given a full tour and explanation of the historic footprint of the former Ruabon Chemical Works and the Solutia assets currently permitted under the Environmental Permitting Regulations 2016, as amended (EPR) - EPR/NP3335GR. Weather conditions were dry, cold and overcast after a period of heavy rain.

This is a closed site with a large historic footprint of the former works. Mr Biggs is a former shift supervisor at the previously operational site and he now acts as a site based caretaker for all of the legacy area and performs EPR permit related tasks within the area of the permitted assets.

The site has been completely demolished down to concrete slab and all materials have been removed. Sections of the former works are now utilised as a carpark for the nearby World Heritage Site and these areas are managed by the tenants. The remaining areas of the former works are fenced for security in their entirety with a mixture of mesh security fencing, palisade fencing, padlocked security gates and razor wire where deemed necessary. The site also benefits from security lighting and CCTV. The permitted assets benefit from a second layer of security infrastructure to maintain their integrity, the site is patrolled daily and incident response procedures are in place for unplanned occurrences to ensure environmental protection.

The EPR permit authorises the treatment of abstracted groundwater by carbon absorption. Once abstracted groundwater has been processed through the three carbon filters it is pumped on to the Ground and Stormwater Storage Facility (GSSF) before final discharge at the permitted discharge point. All processes and procedures in relation to the water abstraction and treatment process were discussed with no issues identified. MCERTS flow meter was inspected and is currently certified.

General Pollution Prevention Advice: Outside of the EPR permitted area, storage for oily

rags was identified. On discussion oily rag storage is no longer required. The two drums and the rags they contain should be transferred to a suitably permitted waste handler. The transfer of this waste is required to be identified in correctly completed Consignment Notes which, must be retained for your records.

Q3 Monitoring Returns

Monitoring for all emission points and parameters required by Permit Condition 3.5.1, Schedule 3(a), Tables S3.1(a) & S3.4 was undertaken and the results reported within the timescales required by Permit Condition 4.2.3, Schedule 4(a), Table S4.1.

Monitoring of emissions to surface water for Q3 (Jul - Sept) were submitted as required and results for the emission point W1 was within the emission limit values specified by Permit Condition 3.1.2, Schedule 3(a) & Tables S3.1(a) & S3.4.

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.