

Compliance Assessment Report CAR_NRW0039020

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: Report/Data Review, Reason: Routine.

On 30/12/2021 between 09:00 and 17:00.

Parts of permit assessed: Annual Report

NRW Lead Officer: Paul Challender.

Report sent to: Stephen Thomas, Ian Biggs, Environmental Specialist, Site Caretaker on 10/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
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	C4 No impact	Permit Condition 4.2.3, Schedule 4(a), Table S4.1.
H2 - Resource Efficiency - Energy efficiency	C4 No impact	Permit Condition 4.2.2(c), Schedule 4(a), Tables S4.3 & S4.4.

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

Total number of non-compliances recorded	Total non-compliance score
2	0.2

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
G4	Action 1: Submit to NRW the missing data for TOC at Brook Culvert Sump, Road Culvert Sump and Rhosymedre Quarry Leachate Groundwater Borehole (BH3).	28/02/2022
H2	Action 2: Submit to NRW the populated Energy 1 form.	28/02/2022

Action 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

This Compliance Assessment Report (CAR) has been raised to comment upon the monitoring returns and annual report that were recently submitted to Natural Resources Wales.

Q4 Monitoring Returns

Most monitored data was submitted as required by Permit Condition 3.5.1, Schedule 3(a), Tables S3.1, S3.2, S3.3 & S3.4. Notable omissions from the submission was a lack of TOC monitoring data at some locations.

Total Organic Carbon (TOC) is required to be monitored as per Table S3.3 but has not been reported as per Permit Condition 4.2.3, Schedule 4(a), Table S4.1 for the following locations: Brook Culvert Sump, Road Culvert Sump and Rhosymedre Quarry Leachate Groundwater Borehole (BH3). These omissions are currently scored as a failure to report non-compliance due to the contents of the annual report, see below.

Score: Permit Condition 4.2.3, Schedule 4(a), Table S4.1. (G4) Reporting and notification to Natural Resources Wales. CCS Score 4.

Action 1: Submit to NRW the missing data for TOC at Brook Culvert Sump, Road Culvert Sump and Rhosymedre Quarry Leachate Groundwater Borehole (BH3).

Annual Reporting:

The Annual Report was received in the same submission. The submission of the Annual Report satisfies Permit Condition 4.2.2 however, a form required by Permit Condition 4.2.2(c) Schedule 4(a), Tables S4.3 & S4.4 is missing.

The Annual Report itself discusses the monitoring results, weather trends and operational methodologies and gives a good feel for the operation of the site. The report states that the monitoring for TOC at the locations highlighted above took place and therefore, the these omissions are treated and scored as a failure to report results . Please, complete the actions above to clarify this omission.

Form R1 detailing waste recovery and disposal was received in compliance with Permit Condition 4.2.2(c), Schedule 4(a), Tables S4.3 & S4.4. Form Energy 1 however, is not present and the information required by this form is not presented elsewhere in the submission or trend discussed in the Annual Report and as such represents a breach.

Score: Permit Condition 4.2.2(c), Schedule 4(a), Tables S4.3 & S4.4. (H2) Energy Efficiency. CCS Score 4.

Action 2: Submit to NRW the populated Energy 1 form.

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.