

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 61(1)**

NOTICE REQUIRING INFORMATION

To: AGC Chemicals Europe Limited Permit Number EPR/BU5453IY
Hillhouse
PO Box 4
York House
Hillhouse International
Thornton Cleveleys
FY5 4QD

The Environment Agency requires you to provide the information specified in Schedule 1.

THE INFORMATION MUST BE SENT TO:

Email; [REDACTED]@environment-agency.gov.uk

Date 03/10/2023

Signed

[REDACTED]
[REDACTED]
[REDACTED]

Please see over for notes.

Environmental Permitting (England and Wales) Regulations 2016 Regulation 61(1)

Notes:

1. For the purposes of discharging its functions under the Environmental Permitting (England and Wales) Regulations 2016, the Environment Agency may (by virtue of Regulation 61(1) of those Regulations), require any person to provide information.
2. Failure to comply with this notice without reasonable excuse is an offence under Regulation 38(4)(a) of the Environmental Permitting (England and Wales) Regulations 2016, and may lead to legal action being taken against you.
3. Making any statement in response to this notice that you know to be false or misleading in a material particular, or recklessly making any statement which is false or misleading in a material particular is an offence under Regulation 38(4)(b) of the Environmental Permitting (England and Wales) Regulations 2016, and may lead to legal action being taken against you.
4. There is no right to appeal against this notice.
5. You may wish to seek independent legal advice.

Environmental Permitting (England and Wales) Regulations 2016
Regulation 61(1)

SCHEDULE 1
INFORMATION REQUIRED

The Environment Agency is assessing the need to review your permit. Throughout correspondence in 2022, you provided information concerning the releases of Per and Polyfluoroalkyl substances (PFAS) from your site. This Notice sets out the information we require from you to carry out that review. Subject to your response to this Notice we may vary your permit.

Description of information	Form the information must take	Date required
1. Quantification of PFAS releases to water	See below	See dates below
1.1 Screening - procedures for review	See below	End February 2024 latest
1.1 Screening - results	See below	End May 2024 latest
1.2 Monitoring – procedures for review	See below	End May 2024 latest
1.2 Monitoring – results	See below	End July 2025 latest
1.3 Mass releases – procedures for review	See below	End April 2024 latest
1.3 Mass releases	See below	End March 2026 latest
1.4 Surface water risk screening	See below	End October 2025 latest
2. Quantification of PFAS releases to air	See below	See dates below
2.1 Screening – procedures for review	See below	End January 2024 latest
2.1 Screening – results	See below	End August 2024 latest
2.2 Monitoring – procedures for review	See below	End September 2024 latest
2.2 Monitoring – results	See below	End December 2024 latest
2.3 Mass releases – procedures for review	See below	End April 2024 latest

2.3 Mass releases	See below	End March 2026 latest
2.4 Air emissions risk assessment	See below	End March 2025 latest
3. Other PFAS releases – procedures for review	See below	End April 2024 latest
3. Other PFAS releases	See below	End March 2026 latest
4. Information regarding PFAS contamination, risks and impacts on site and in surrounding areas	See below	End August 2024 latest
5. Proposals to reduce releases of Annex III substances to water	See below	End March 2024 latest
6. Historic information related to releases of PFOA from the site.	See below	End December 2023 latest

1. Quantification of PFAS releases to water

1.1 Screening

We require you to conduct screening to identify presence of PFAS compounds listed in Annex I below in W1 effluent discharge (location as specified in Schedule 3 of your permit). Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding. Minimum 2 composite samples from W1 required.

We require you to conduct screening to identify presence of PFAS compounds listed in Annex I and III below in W2 and W3 effluent discharge (exact sample location downstream of W2 and W3 to be confirmed in review of procedures). Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding. Minimum 2 spot samples at each location from W2 and W3 required.

1.2 Monitoring

Following the completion of screening phase and provision of screening results, any PFAS compounds listed in Annex I which identify as present in W1 effluent discharge will need further monitoring. We are prepared to accept the use of the EPA method for wastewater - [PFAS Analytical Methods Development and Sampling Research | US EPA](#) - or a similar methodology. Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

We require you to monitor releases of PFAS compounds listed in Annex III from W1 effluent discharge point. We are prepared to accept the use of existing procedures and techniques as

required in site permit monitoring conditions or a similar methodology. Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

We require you to conduct Total Organofluorine (TOF) analysis to determine the combined total of all fluoroorganic compounds released from W1 effluent discharge.

Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

All monitoring to take place at W1 effluent discharge point (location as specified in Schedule 3 of your permit).

Provide the flow rate from W1 effluent discharge point for each round of monitoring.

All monitoring is to take place over a 12 month period, minimum 24 samples from W1 effluent discharge point with a minimum of 2 samples taken per month. This will allow us to assess the seasonal variation of releases from W1 effluent discharge point.

Provide background chemical quality data at W1 discharge point for TOF and for each substance which requires monitoring from Annexes I and III. Samples shall be taken upstream of the discharge point at a location which is representative of the background before your discharge enters the river. This will allow a more accurate assessment of the effect of these substances in the discharge on the receiving water. A minimum of 24 spot samples over a 12 month period shall be provided along with a grid reference of the sample point. 2 samples per month. Online guidance is available here (Background data for estuaries or coastal waters) - [Surface water pollution risk assessment for your environmental permit - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/surface-water-pollution-risk-assessment-for-your-environmental-permit). Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

1.3 Mass releases

We require you to provide annual mass releases for PFAS compounds listed in Annex II from W1 effluent discharge point (location as specified in Schedule 3 of your permit) for 2 consecutive years. This can be completed by mass balance, or any other suitable method you wish to propose. Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

1.4 Surface water risk screening

Following the completion of the monitoring phase, you will need to complete a surface water risk screening assessment. Online guidance is available here (screening test: estuaries and coastal waters) - [Surface water pollution risk assessment for your environmental permit - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/surface-water-pollution-risk-assessment-for-your-environmental-permit). The Marine Modelling Team will provide further guidance if needed.

2. Quantification of PFAS releases to air

2.1 Screening

We require you to conduct screening to identify presence of Perfluorobutanoic acid (PFBA) and Perfluorohexanoic acid (PFHxA) from emissions point A7 (location as specified in Schedule 3 of your permit). Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

Minimum 2 samples required.

2.2 Monitoring

We require you to monitor releases of PFAS compounds listed in Annex III from emission points A4 and A5 (location as specified in Schedule 3 of your permit). Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

We require you to monitor for 3,3,4,4,5,5,6,6-Nonafluorohexene - perfluorobutylethylene (PFBE) and Trideca-1,1,1,2,2,3,3,4,4,5,5,6,6-fluorohexane - 1H-perfluorohexane (1H-PFHx) [AC-2000] (C6H) releases from emission point A7 (location as specified in Schedule 3 of your permit). Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

If screening phase identifies presence of PFBA or PFHxA, they will require further monitoring. We are prepared to accept the use of [OTM - 45](#) or a similar methodology. Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

If a 24-hour analysis method is proposed, 4 samples will be required. If another method is proposed, we will need to reassess the number of samples required. In this event we will notify you in writing accordingly.

2.3 Mass releases

We require you to provide annual mass releases for 1,1,1,2,2,3,3-Heptafluoro-3-[(trifluorovinyl)oxy]propane (PPVE) and Hexafluoropropylene (HFP) to air for 2 consecutive years. This can be completed by mass balance, or any other suitable method you wish to propose. Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

2.4 Air Emissions Risk Assessment

Following the completion of the monitoring phase, you will need to complete an air emissions risk assessment. Online guidance is available here - [Air emissions risk assessment for your environmental permit - GOV.UK \(www.gov.uk\)](#).

3. Other PFAS releases

Have the company obtained measurement of any other PFAS, as defined by the Organisation for Economic Co-operation and Development (OECD) [here](#) but excluding fluoropolymers, other than the substances listed in Annexes I, II and III being released from the site to any media? If so, provide details of annual mass releases for each substance for 2 consecutive years. Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

“Any media” refers to air, water, waste and product.

For substances listed in Annex I, II and III, provide details of annual mass releases via waste and product for 2 consecutive years. Provide a breakdown of your chosen procedure for review and Agency agreement in writing before proceeding.

4. Information regarding PFAS contamination, risks and impacts on site and in surrounding areas

We require you to provide copies of any third-party prepared site survey reports produced between January 1st 2000 and 03/10/2023 which contain information regarding PFAS contamination, risks and impacts on site and in surrounding areas.

5. Proposals to reduce releases of Annex III substances to water

We require you to provide proposals to reduce releases of substances listed in Annex III to water.

6. Historic information related to releases of Perfluorooctanoic acid (PFOA) from the site

We require you to provide total mass releases of PFOA to air, land, water and in products from first production (ICI period) on site to 03/10/2023.

ANNEXES

ANNEX I – Standard PFAS analytical suite

Analyte	CAS RN
Perfluoro-1-butanesulfonic acid (PFBS)	375-73-5
Perfluoro-1-pentanesulfonic acid (PFPeS)	2706-91-4
Perfluoro-1-hexanesulfonic acid (PFHxS)	355-46-4
Perfluoro-1-heptanesulfonic acid (PFHpS)	375-92-8
Perfluoro-1-octanesulfonic acid (PFOS)	1763-23-1
Perfluoro-1-nonanesulfonic acid (PFNS)	68259-12-1
Perfluoro-1-decanesulfonic acid (PFDS)	335-77-3
1H, 1H, 2H, 2H-perfluorohexane sulfonic acid (4:2 FTS)	757124-72-4
1H, 1H, 2H, 2H-perfluorooctane sulfonic acid (6:2 FTS)	27619-97-2
1H, 1H, 2H, 2H-perfluorodecane sulfonic acid (8:2 FTS)	39108-34-4
Perfluorobutanoic acid (PFBA)	375-22-4
Perfluoropentanoic acid (PFPeA)	2706-90-3
Perfluorohexanoic acid (PFHxA)	307-24-4
Perfluoroheptanoic acid (PFHpA)	375-85-9
Perfluorononanoic acid (PFNA)	375-95-1
Perfluorodecanoic acid (PFDA)	335-76-2
Perfluoroundecanoic acid (PFUnDA)	2058-94-8
Perfluorododecanoic acid (PFDoDA)	307-55-1
Perfluorotridecanoic acid (PFTTrDA)	72629-94-8
Perfluorotetradecanoic acid (PFTeDA)	376-06-7
N-ethylperfluoro-1-octanesulfonamidoacetic acid (N-EtFOSAA)	2991-50-6
N-methylperfluoro-1-octanesulfonamidoacetic acid (N-MeFOSAA)	2355-31-9
Perfluoro-1-octanesulfonamide (PFOSA)	754-91-6

ANNEX II – PFAS in use at site

Analyte	CAS RN
1,1,1,2,2,3,3-Heptafluoro-3-[(trifluorovinyl)oxy]propane (PPVE)	1623-05-8
3,3,4,4,5,5,6,6,6-Nonafluorohexene - also known as perfluorobutylethylene (PFBE)	19430-93-4
Trideca-1,1,1,2,2,3,3,4,4,5,5,6,6-fluorohexane - also known as 1H-perfluorohexane (1H-PFHx)	355-37-3
Hexafluoropropylene (HFP)	116-15-4

ANNEX III – PFAS surfactants used in PTFE manufacture (PFOA no longer in use)

Analyte	CAS RN
Perfluoro(2-ethoxy-2-fluoroethoxy)acetic acid ammonium salt [EEA-NH ₄] (SAA-1000)	908020-52-0
Perfluorooctanoic acid (PFOA)	335-67-1