Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0034181

This form will report compliance with your permit as determined by an NRW officer					
Site	Clydach Refinery	Permit Ref	BL4567IZ		
Operator/Permit holder	Vale Europe Limited				
Regime	Installations				
Date of assessment	12/07/2018	Time in	10:00	Out	16:00
Assessment type	Audit				
Parts of the permit assessed	Energy Efficiency				
Lead officer's name	Evans, Gary Lewis				
Accompanied by	Palmer, Chris				
Recipient's name/position	Lee Davies/ Sustainability Manager	Date issued	07/11/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B5 - Infrastructure - Plant and equipment	A	
E3 - Emissions - Surface water	A	
H1 - Resource Efficiency - Efficient use of raw materials	A	
H2 - Resource Efficiency - Energy efficiency	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

- Introductions
- Vale Process Overview
- Progress Update on the Abstraction Changes to Canal and River Tawe (Eels Regulations)
- Potential Changes to the discharge volumes/loading/temperature.
- Overview of Nickel in the Tawe (Chris Palmer)
- Update on Landfill proposals
- Site inspections detailing the proposed changes.

Introduction
The visit was arranged to understand the progress made by the company in accordance with the Eels Directive Requirements and subsequent improvement notices. The visit also provided the company with some early data of a water quality assessment of the River Tawe which is due to be completed by the end of the year.

Vale Process Overview
The company process was outlined by Darren Poland for NRW staff and provided a good a setting for the on-going topics for the visit.

Progress Update on the Abstraction Changes to Canal and River Tawe (Eels Regulations)
Vale have employed a consultancy to review and plan changes to the installation to minimise the requirements of the current abstractions the company utilises for cooling water. The aim is to maximise the efficiency of the cooling process and minimise the use of water with ultimate aim of closing both the river and canal abstraction points and thus complying with the Eels Directive by not requiring any abstraction points and associated control measures.
The initial costing of the potential screen installation on the abstraction points would be in excess of £1.5 million and would not provide a sustainable solution long term. NRW extended the notice period for compliance with the Eels directive to enable the company to implement a more sustainable, cost effective option.
Vale in conjunction with their consultants have been in discussion with DCWW to establish a reliable water source into the Vale installation. This process in ongoing and the companies are working together to establish a solution. As outlined above the project is progressing with an aim of reducing the current water consumption rates by approximately 85% and thus having a positive impact on the effluent discharge by reducing the volume by 75% on current figures.
The efficiency changes on site will be staged with all works planned for completion by 2020.
Vale may wish to discuss a potential permit variation over the coming months specifically on parameters on the final effluent discharge based on the reduced volume.

Overview of Nickel in the Tawe (Chris Palmer)
In Wales NRW carry out essential water monitoring compliance checks in line with Water Framework Directive and have recently carried out a detailed monitoring programme on the River Tawe investigating potential exceedance of Nickel in the specified WFD monitoring point in Morriston. Chris Palmer (Environment Officer in the Swansea NRM Team) has been undertaking this investigation and involved

monitoring upstream and downstream of the Vale installation and the local STW to identify nickel levels in the Tawe. The programme as yet is not complete with further monitoring planned throughout 2018 to fully understand the source of the elevated in nickel.
This meeting enabled NRW to provide some initial results to Vale, highlighting that the current data is showing elevated results downstream on the Vale Clydach site. Further monitoring will be carried out to ascertain the scale of the elevation and to try and pin point key sources.
One aspect that will tie in well with the monitoring is Vale abstraction project that will reduce the effluent loading on the River Tawe over the next few years.

Update on Landfill proposals
Vale have undertaken some mitigation works on the landfill in recent months by installing a membrane to minimise any damage to the cap that was showing signs of slippage in recent months. The company will be reviewing the controls and future plans for the area in the coming months.

Site inspections detailing the proposed changes.
Vale outlined as part of the onsite inspection some of the key changes to the cooling system along with potential reductions in effluent entering the River Tawe.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0034181**

This form will report compliance with your permit as determined by an NRW officer

Site	Clydach Refinery	Permit Ref	BL4567IZ
Operator/Permit holder	Vale Europe Limited	Date	12/07/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	**CCS Category**	**Action required/advised**	**Due Date**
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.