

Compliance Assessment Report CAR_NRW0039895

Permit being assessed: BV5386IX.

For: Rassau Battery Manufacturing EPR/BV5386IX, held by GS Yuasa Battery Manufacturing Limited

At: Unit 22 Rassau Industrial Estate , Rassau, Ebbw Vale, Blaenau Gwent, NP23 5SD.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Other.
On 10/05/2022.

Parts of permit assessed: Emissions and Monitoring. Notifications.

NRW Lead Officer: Luke Burton, accompanied by Wayne Grimstead, Rebecca Green.

Report sent to: Jason Davies, HSE Manager on 10/05/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E4 - Emissions - Sewer	C4 No impact	3.1.2.
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.3.1 (b)(i)

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
E4	Review monitoring and sampling procedures and methods, with a view to make sample results more reliable and reduce the potential for anomalous results. Report back to Natural Resources Wales on any changes to those procedures resulting from the review.	10/06/2022
G4	Review reporting and notification procedures, with a view to establishing the root cause of the delay in notification. Report back to Natural Resources Wales on the root cause of the delay in notification and any resulting changes to those procedures.	10/06/2022

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

On 7 February 2022, GS Yuasa Battery Manufacturing UK Limited were notified by Dwr Cymru Welsh Water (DCWW) that a sample taken by DCWW from the site's effluent treatment plant at factory 1 and 2 on 25 January 2022, 11:42 had exceeded the trade effluent discharge consent limit. A lead level of 22 mg/l was detected with the limit being 10 mg/l.

On 15 February 2022 GS Yuasa Battery Manufacturing UK Limited notified Natural Resources Wales Officer Wayne Grimstead of the exceedance via a Schedule 5 Notification.

Prior to this exceedance GS Yuasa's exceedances of the lead levels have been limited and isolated. Furthermore, since the notification, lead levels in the discharge have fallen a significantly below the permitted limit and the January level.

Since discovering the exceedance, GS Yuasa have conducted investigations to establish possible causes, but to date, have found none.

A meeting was held between Natural Resources Wales' Wayne Grimstead, Rebecca Green and Luke Burton and G S Yuasa's Jason Davies and Mike Taylor on the 28 April 2022, via Microsoft Teams, to discuss this exceedance and Schedule 5 notification.

Brief discussions were had on the notification delay and more in-depth discussions were had on the sampling method which included: chain of custody; storage/preservation of samples; quality control; specified ranges of determinants; analytical instrument accuracy; repeat testing, and sampling points.

Discussions suggested that the elevated lead level was anomalous and likely due to an issue within the sampling method.

In response to the emission limit exceedance and notification delay Natural Resources Wales will record the following non-compliances:

Emission Limits.

The schedule 3 Table S3.3 emission point S1 limit for lead is 10 mg/l. As per condition 3.1.2. the limits given in schedule 3 shall not be exceeded.

As the limit was exceeded by 12 mg/l condition 3.1.2 has been breached.

Natural Resources Wales have scored this breach as a Category 4 – A non-compliance that cannot foreseeably have any impact on the environment. This category was chosen as

any effluent with a higher than permitted level of lead is understood to have only discharged to foul sewer for further treatment at a DCWW works.

Action GS Yuasa - Please review monitoring and sampling procedures and methods, with a view to make sample results more reliable and reduce the potential for anomalous results. Report back to Natural Resources Wales by the 10/06/22 on any changes to those procedures resulting from the review and provide a copy of the revised procedures.

Schedule 5 Notification.

As per condition 4.3.1 (b)(i) in the event of a breach of any permit condition GS Yuasa Battery Manufacturing UK Limited must immediately inform Natural Resources Wales. Immediately is interpreted as within 24 hours.

As Natural Resources Wales received the notification 8 days after GS Yuasa were alerted to the level exceedance by DCWW, condition 4.3.1 (b)(i) has been breached.

Natural Resources Wales have scored this breach as a Category 4 – A non-compliance that cannot foreseeably have any impact on the environment. This category was chosen as despite no notification being received within 24 hours, Yuasa took suitable, prompt corrective actions to investigate the exceedance.

Action GS Yuasa - Please review reporting and notification procedures, with a view to establishing the root cause of the delay in notification. Report back to Natural Resources Wales by the 10/06/22 on the root cause of the delay in notification, any resulting changes to those procedures and provide a copy of the revised procedures.

Thank you to GS Yuasa for a productive Microsoft Teams meeting and investigations into the permit limit exceedances.

END

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.