

Compliance Assessment Report

Report ID:
CAR_NRW0026565

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

Site	Waunarlyydd Works EPR/EP3935UC	Permit Ref	EP3935UC		
Operator/Permit holder	Aleris Recycling (Swansea) Limited				
Regime	Installations				
Date of assessment	25/10/2016	Time in	10:00	Out	15:45
Assessment type	Audit				
Parts of the permit assessed	1.1, 1.5, 2.3, 2.8, 3.1,3.2, 3.4,				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Helen Williams/ HSE Supervisor	Date issued	13/12/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 - Suspended	1.1.1

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	1	Total compliance score (see section 5 for scoring scheme)	0
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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

Real Alloy – Permit No EP3935UC – Site Inspection and OMA Water audit

Tuesday 25th Oct 2016 Venue: Waunarlwydd Works

10.00 am – 15.30 pm approx.

Helen Williams (Health and Safety Officer), Richard Taylor (Natural Resources Wales).

Introductions

There was a brief discussion on the businesses update from both parties.

BAT conclusions document.

Site confirmed they have no concerns in meeting the Non Ferrous Industries BAT conclusions issued on 13th June 2016 under Directive 2010/75/EU. Site have subsequently submitted the response to NRW on 31st Oct 2016.

Noise

The previous complainant to site has stated that the noise levels have diminished. As a routine practice, NRW would like to carry out a 3rd noise analysis at the site in Jan 2017. This will enable a noise profile to be developed which may quantify any improvement in the noise produced by site.

Outstanding actions from Previous CAR forms

1. Outstanding Accident Management plan review. This action is not a requirement of the current site permit AP3935UC/V004 but was made a requirement by site to include the findings from CAR form dated

19th March 2016 by a previous site Inspector. No updated Accident Management plan has been received to date by NRW. Therefore we are imposing a deadline for this to be reviewed and the recommendations incorporated into the site AMP. **The deadline to deliver this to NRW is 31st Dec 2016 - Action.** Failure to meet this deadline may result in a breach of permit condition 4.3.1(a) (iii).

2. Repairs to shutter doors/ sealing around salt slag storage area. This work was viewed and appears to meet the last CAR actions. However, the site has several open areas and doors which could give rise to fugitive emissions and will be subject to a further audit scheduled Jan 2017. NRW remain concerned that doors left open with hazardous dust inside are a potential source for fugitive emissions which would breach permit condition 3.2.1. Therefore all site doors will be subject to a full inspection at the next site audit scheduled for Jan 2017. We will need to know why doors are left open when not in use and the measures the site is taking to minimise the likelihood of fugitive emissions from the site. Training of the staff in awareness of minimising this form of pollution will also be inspected. **Recommendation; Site to make training records available at the next site inspection.**

Examination of monitoring and reporting regime in place. OMA 4 results.

The system was examined through a site Operators Monitoring Assessment (OMA) which was carried out to surface water from site. The result of this was a score of 67% and carries a request for 2 immediate improvements to be carried out. These are improvements to sample storage, and access to the sampling point.

It was found that the site has the potential to invalidate its own water samples through the current storage regime prior to collection by courier. This is a potential breach of permit condition 1.1.1(b) for failing to minimise the risk of pollution by not using sufficient resources. This carries the risk of allowing unquantified emissions to enter surface water. Some of the pollutants may breach the permitted allowable limit.

Result 1 x Category 3 breach – suspended, pending improvement issues.

Action; The improvement measures should be in place at the next sampling round due Dec 16.

The accompanying OMA water assessment details the improvements necessary to bring this back to compliance through minimisation of the sample time to courier pick up, and temporary storage at 5 deg C +/-3deg. (Reference EA M18 guidance). The improvements should be made as soon as possible. The upgraded sampling procedure should be written into the site environmental management system and meet the requirements laid out in EA TGN M18 section 5.5.

<https://www.gov.uk/government/publications/m18-monitoring-of-discharges-to-water-and-sewer>

The access to the Water sampling point was also judged to not meet the M18 guidance in that it was potentially unsafe for the sampler to stand/kneel in this area to take a sample due to slip and trip hazards, and the potentially gaseous atmosphere below the manhole. The OMA report carries the necessary improvements to be made. No breach is being imposed for access and safe standing. However, it was noted that the site has not placed an identifying sign on WA1 despite being previously asked in previous

CAR form date 19th March 2016. NRW expect to see an improvement to be made in this area, or the site to justify its position not to improve. The improvements should meet M18 guidance at 5.4 standards.

Site Tour

Prior to the site meeting, an unloading operation was taking place inside the Dross storage area at approximately 10.05 hrs. Two articulated Lorries were seen backed into the 2 open doors. A very loud metallic tumbling noise was heard which was judged by the Officer present to be loud enough to be heard by local residents, and loud enough to be a potentially damaging for site staff and contractors in the vicinity at the time. Site needs to be aware of the potential to caused perceived noise pollution outside the site permitted area from this operation and put in place measures to reduce this which comply with permit condition 3.4.1.

Improvements in the site cladding was seen. This was a concern in the last CAR form and another area where fugitive emissions and excess noise could potentially pollute the vicinity, so these improvements were seen as a positive change.

The new rotary 1.5 tonne sampling furnace was operating at the time of the visit and represents a good improvement. Storage of wastes and product was inside the permit boundary, but Note; - the Water sampling point is outside.

Figure 1 shows the new cladding on the 'mudroom' exterior.



The tour also viewed the new sample furnace, air and water release points, air and water monitoring points and conformance to TGN M1 guidance.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/507588/LIT_4736.pdf



The A4 stack was viewed from the ground. Access to the sampling points are via a near vertical ladder. Care needs to be taken that this meets the M1 guidance and the HSE guidance for working safely at height (WAHR 2005 Regulation). A guide is available at <http://www.hse.gov.uk/pubns/indg455.htm>

Other than those items mentioned above, there were no other non-compliances noted.

The next audit in Jan 2017 will cover

- OMA to Air
- Follow up noise assessment
- Full review of the site doors and openings – dust/noise suppression

End.

EPR Compliance Assessment Report

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Site	Waunarwydd Works EPR/EP3935UC	Permit Ref	EP3935UC
Operator/Permit holder	Aleris Recycling (Swansea) Limited	Date	25/10/2016

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
G1	C3	EA M18 guidance needs to be met. Time of sample taking to courier pick up minimised. Sample stored at 5 deg C +/- 3 deg. Sample taking to analysis no longer than 48 hrs.	31/12/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.