

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

Site	Real Alloy UK Ltd	Permit Ref	EP3935UC		
Operator/Permit holder	Real Alloy UK Limited				
Regime	Installations				
Date of assessment	05/10/2017	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Quarterly air returns, quarterly water returns				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Helen Williams/ EH&S Manager	Date issued	09/10/2017		

## 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
C1 - General Management - Staff competency/training	C3	3.5.1
E3 - Emissions - Surface water	C3	3.1.2
	C3	3.1.2
	C3	3.1.2
	C3	table S3.2
	C3	3.5.1
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	3.5.1

**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.

<b>Number of breaches recorded</b>	<b>6</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>24</b>
------------------------------------	----------	---	-----------

**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

THIS CAR FORM HAS BEEN AMENDED FROM CAR FORM DATED 5TH OCT 17 TO INCLUDE THE FOLOWING CHANGES.THIS REPLACES THE EARLIER CAR FORM.

1.ALUMINIUM TO WATER BREACH 2.2mg/l on 30/6/17 HAS BEEN CONSOLIDATED WITH ALUMINIUM TO WATER BREACH OF 2.6MG/L ON 1ST MAY 17 ACCORDING TO CCS RULES OF CONSOLIDATING SCORES FOR QUARTERLY RETURNS.

2. THERE IS AN ADDITIONAL SCORE FOR AMMONIACAL NITROGEN TO WATER ADDED WHERE A BREACH OF 208MG/L ON 7TH AUG 17 HAS BEEN CONSOLIDATED TO A SINGLE CAT 3 BREACH WITH 27/9/17 BREACH OF 1.63MG/L

THESE AMENDMENTS DO NOT ALTER THE ORIGINAL SCORE OF 24 POINTS.

Real Alloy Permit EP3935UC

### 1. Overview.

Real alloy hold a permit regulated by NRW for the reprocessing of aluminium waste into a saleable product. The purpose of this CAR form is to list the permit exceedances for the period 1<sup>st</sup> Jan 2017 – 5<sup>th</sup> Oct 2017 prior to the site being regulated by a change of Officer WEF Nov 2017.

### 2. Noise Reduction

The site has had a history of noise complaints made against it by members of the public. The site has voluntarily reduced the noise levels from its fan blades in an effort to reduce perceived levels. This took place in August and NRW has not received a noise complaint against the site since the fitting. We intend to revisit the site to compare before and after fitment readings. NRW thank Real Alloy for the effort they have made to reduce noise from site even though no reduction has yet been quantified, the preliminary results look promising.

### 3. Annual Site compliance round up

The following table shows a list of permit breaches and the regulatory action we have taken against each one.

	Issue	Reason	Regulatory response
1.	July 17 water quality results missing from the quarterly results.	Monitoring staff absent. No deputy cover in place.*	Cat 3 breach of permit condition
2.	Total dissolved solids to water limit of	Unknown	Cat 3 breach

	1200mg/l breached with a return of 1780mg/l on 29/3/17.		
3.	Aluminium content to water limit of 1.5mg/l exceeded with 1.9mg/l on 29/3/17.	Unknown	Cat 3 breach
4.	Aluminium content to water limit of 1.5mg/l exceeded with 2.6mg/l on 1/5/17.	Unknown	Cat 3 breach
5.	CONSOLIDATED WITH ABOVE TO 1 CAT 3 BREACH		
6.	Air monitoring Q2 and Q3 particulate results missing. These need to be continuously monitored with a 3 hour rolling average reported to us every quarter.	Unknown	Cat 3 breach for both missed returns.
7.	WATER AMMONIACAL NITROGEN LIMIT OF 1.5MG/L BREACHED ON 7TH AUG 17 WITH 208MG/L AND 27/9/17 WITH 1.63MG/L	UNKNOWN	2 BREACHES CONSOLIDATED TO 1 SINGLE CAT 3 BREACH ACCORDING TO CCS GUIDANCE ON CONSOLIDATION OF MONTHLY RETURNS INTO QUARTERLY SCORES.
			Total 24 OPRA points

\*NRW believe that Real Alloy are not apportioning sufficient resources to the Environmental Officer role. This issue was raised in a CAR form sent 13<sup>th</sup> Apr 2017 - where a recommendation was made for Real Alloy to consider appointing an assistant for the HS&E role to minimise the risk of a permit breaches for the site not allocating sufficient resources to this role. We believe that some of the above breaches could have been avoided by applying enough resources to ensure the environmental role was covered.

The breaches of permit conditions above total 24 OPRA points which will make Real Alloy a Band C performing site. (Band C is 10-30 points). This will increase the future subsistence fee for the site; see link to NRW charging scheme (OPRA subsistence for installations)

<http://naturalresources.wales/media/682402/environmental-permitting-charging-scheme-2017-18.pdf>

Any further breaches may take the site over an annual total of 30 points which would make the site a band D performer. This attracts a higher level of regulatory effort by NRW to ensure the site returns to environmental compliance. This may result in more frequent inspections and greater involvement with the

site because we judge there to be a greater risk to the environment.

Recommendation

Therefore we strongly urge the site to consider the recommendations made in the earlier CAR form and consider appointing a Deputy to the current EHS role to ease the workload and return back to compliance.

END.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0032239**

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

Site	Real Alloy UK Ltd	Permit Ref	EP3935UC
Operator/Permit holder	Real Alloy UK Limited	Date	05/10/2017

### 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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### 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			
C1	C3	Ensure 3 hourly rolling averages are reported quarterly as in permit conditions.	31/12/2017
E3	C3	return limit to permitted maximum	06/10/2017
E3	C3	Reduce emission to permit limits	06/10/2017
E3	C3	reduce to permit limits	06/10/2017
G1	C3	Improve operations	06/10/2017
E3	C3	Return to below permitted maximum of 1.5mg/l ASAP.	10/10/2017

## 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.