

## Compliance Assessment Report CAR\_NRW0040967

**Permit being assessed:** MP3431SP.

For: Barry Aluminium Chlorohydrate Plant EA/EPR/MP3431SP/V002, held by Alembic Manufacturing Ltd

At: Unit 6 Wimbourne Buildings , Atlantic Way, Barry Docks, Barry, Vale of Glamorgan, CF63 3RA.

**Type of assessment carried out:** Report/Data Review, Reason: Routine.

On 31/12/2022.

Parts of permit assessed: Annual Reporting

**NRW Lead Officer:** Dale Padfield.

**Report sent to:** David Randall, Director on 20/01/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
H1 - Resource Efficiency - Efficient use of raw materials	Assessed (A)	
H2 - Resource Efficiency - Energy efficiency	Assessed (A)	
E5 - Emissions - Waste	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

### 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

Alembic Manufacturing Limited

Permit MP3431SP

The purpose of this Compliance Assessment Report (CAR) is to review the annual returns, ensuring compliance with the low impact installation criteria is maintained.

### Water Usage

The table below provides an overview of annual water usage per year since 2019.

Water Usage/ Year	Discharge Per day / Litres	Total of Liquid Produced / Tonnes	Tonnes of water	Billed water usage / Tonnes	Discharge Volume / Tonnes	Discharge as a percentage of billed Water/ %
<b>2019</b>	8.2	3719	4055	6718	2999	45
<b>2020</b>	5.8	3047	3047	5157	2111	41
<b>2021</b>	5.4	4055	3719	6055	2000	33
<b>2022</b>	7.33	3724	3724	6398	2674	42

To allow water efficiency to be compared year on year the discharge is calculated as a percentage of the billed water used at the installation. In 2021 it was assumed that there was a continuing trend of increased water efficiency due to the installation of new equipment. The 2022 figures do not continue this trend. Alembic reported that some under reporting may have occurred in 2021 due to a faulty water meter, which has since been replaced. As such it would appear that water efficiency has remained relatively stable since 2019.

### Waste Generation

The table below provides an overview of the sites reported waste since 2019.

Year	Office Packaging Waste / Tonnes	Granular Waste / Tonnes	Total Waste / Tonnes	Total Liquid Produced / Tonnes	Waste Produced per tonne of liquid produced / Tonnes
<b>2019</b>	16	13.92	43.74	6524	0.0067
<b>2020</b>	16	13.84	29.82	5346	0.0056
<b>2021</b>	9.94	27.74	23.86	7114	0.0034
<b>2022</b>	11.094	27.54	38.63	6534	0.0059

A slight increase of waste generated per unit of product is seen in 2022 compared to 2021 figures. Alembic stated that each year they generate two full loads of filter paper waste and depending on when a full load is reached can result in either one or two loads leaving the facility each year. In 2021 only one full load was removed in June, compared to two full loads in 2022, one in March and one in October. As such the figures look to be consistent with those of 2019 and 2020.

### **Electrical Usage**

The Table below provides an overview of the electrical usage since 2019.

<b>Year</b>	<b>kW</b>	<b>MW</b>	<b>Total Liquid Produced / Tonnes</b>	<b>kW Tonne Per of Liquid Produced</b>
<b>2019</b>	71937	0.0088	6524	11.0
<b>2020</b>	71333	0.0087	5346	13.3
<b>2021</b>	80395	0.0092	7114	11.3
<b>2022</b>	80182	0.0092	6534	12.3

There's a slight increase in kW used per tonne of liquid produced in 2022 when compared to previous years. Alembic stated that the increase is likely due to the increased use of electric heaters in the absence of additional waste heat provided by product reaction. However electrical use per tonne of product appears to be relatively consistent since 2019.

To satisfy accident prevention criteria the inventory of any substance at any time shall not exceed 5% of that stated in the Control of Major Accident Hazards Regulations (COMAH) (lower Tier). The previous COMAH lower tier individual category for nitric acid was removed and replaced by a smaller level of 50 tonnes 'oxidising agents' limit. To ensure compliance with 5% limit, Alembic have reduced their maximum inventory to two tonnes nitric Acid (4%).

There were no reported incidents or any releases of substances in 2022 nor any fugitive emissions. The SPMP monitoring check sheet was received, no issues reported, some floor repairs noted in units 6 & 7. Alembic stated the accident management plan has been reviewed and they have not identified any changes needed. The bi-annual review of the SPMP was also conducted, Alembic concluded that the SPMP is working satisfactory, and no changes were required.

All low impact installation criteria have been met.

The reports are accepted.

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](mailto: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](mailto: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.