

Compliance Assessment Report CAR_NRW0041195

Permit being assessed: PP3834CB.

For: Ruabon Electro Ceramics, held by CeramTec UK Ltd

At: VAUXHALL INDUSTRIAL ESTATE , RUABON, WREXHAM, WREXHAM, CLWYD, LL14 6HY.

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

On 30/12/2022.

Parts of permit assessed: Review of annual returns and monitoring data (2022)

NRW Lead Officer: Jamie Blythin.

Report sent to: Rhian Newton, Head of EHSQ on 23/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E4 - Emissions - Sewer	C3 Minor	3.1.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.3.1
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4 No impact	3.3.1

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

Total number of non-compliances recorded	Total non-compliance score
3	4.2

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	Action 1- Arrange for S1 to be re-sampled in line with the monitoring requirements as specified in the permit (UKAS approved method, total metals analysed). If, after re-sampling, the ELV continues to be breached, a root cause analysis investigation needs to be completed and appropriate measures put in place to ensure emission point S1 operates within the permitted ELVs.	24/03/2023
G4	Action 2- Ensure NRW are notified immediately of any breaches of limits specified in the permit.	24/02/2023
G1	Action 3- See Action 1.	24/03/2023

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

This Compliance Assessment Report (CAR) follows the review of annual returns and monitoring data (2022) that was received by Natural Resources Wales (NRW) on 31/01/23. This was received within the timescales specified by the permit.

With reference to form S1, the operator reported values of 0.08 mg/l for lead vs a permitted Emission Limit Value (ELV) of 0.5mg/l and 0.002 mg/l for zinc vs a permitted ELV of 2mg/l. These results relate to a sample taken at the site on 20/01/23.

Emission point S1- Exceedance of Emission Limit Value (ELV)

On 01/02/23, the operator sent a schedule 5 notification to NRW, stating that S1 had exceeded the ELV for lead when a sample was taken 16/12/22. This sample was analysed by a third party UKAS accredited laboratory and recorded values of 1.03mg/l vs a permitted ELV 0.5 mg/l for lead and 0.026 mg/l vs a permitted ELV 2mg/l for zinc.

NRW considers the exceedance of the permitted ELV for lead (sample taken 16/12/22) to be a breach of permit condition 3.1.2 and this has attracted a non-compliance score (E4-Emissions-Sewer-CCS3).

Action 1- Arrange for S1 to be re-sampled in line with the monitoring requirements as specified in the permit (UKAS approved method, total metals analysed). If, after re-sampling, the ELV continues to be breached, a root cause analysis investigation needs to be completed and appropriate measures put in place to ensure emission point S1 operates within the permitted ELVs.

Reporting and notification to NRW

Permit condition 4.3.1 requires the operator to 'notify NRW without delay following the detection of the breach of a limit specified in the permit.' NRW received a schedule 5 notification on 01/02/23 in relation to the breach of the permitted ELV for lead (sample taken 16/12/22). NRW considers the delay in receiving the schedule 5 notification to be a breach of condition 4.3.1 and this has attracted a non-compliance score (G4-Monitoring and records, maintenance and reporting-Reporting and notification to Natural Resources

Wales-CCS4).

Action 2- Ensure NRW are notified immediately of any breaches of limits specified in the permit.

Sampling and analysis

The operator arranged for S1 to be re-sampled for lead and zinc on 20/01/23. The analysis was completed by a third-party UKAS accredited laboratory.

After reviewing the information in the schedule 5 notification, NRW requested copies of the sampling test reports (samples taken 16/12/22 and 20/01/23).

Analysis of the samples had been completed by a third-party UKAS accredited laboratory. However, the samples had been analysed using a dissolved/ filtered sample for metals. This could potentially give a lower result compared to analysing for total metals. The permit requires that samples are analysed for total metals (Table S3.3) and NRW considers this a breach of permit condition 3.3.1 which has attracted a non-compliance score (G1-Monitoring and records, maintenance and reporting- Monitoring of emissions and environment-CCS4).

Action 3- See Action 1.

Air emissions monitoring

With reference to form A1, annual air emissions monitoring (lead and particulates) was carried out on emission points B6,B7 and B24 between 30/11/22 and 01/12/22. The monitoring campaign was completed by an MCERTS accredited third-party test house. All results were within the permitted ELVs.

Annual waste disposal and recovery

With reference to form W1, total waste produced at the site was lower in 2022 (225.2 tonnes) compared with 2021 (327 tonnes).

Annual water use

With reference to form WU1, total water use at the site was higher in 2022 (6315m3) compared to 2021 (6060m3).

Annual energy use

With reference to form E1, total energy use at the site was lower in 2022 (6,080,537KWh) compared to 2021 (6,664,420 KWh).

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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.