

## Compliance Assessment Report CAR\_NRW0041258

<b>Permit number</b>	BX9455IF	<b>Operator name</b>	Hydro Aluminium UK Limited
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<b>Site name</b>	Hydro Aluminium UK Limited
<b>Site address</b>	Pantglas Industrial Estate, Bedwas, Caerphilly, CF83 8DR
<b>Assessment type</b>	Report/Data Review

<b>Date of assessment</b>	17 February 2023	<b>Time in</b>	N/A	<b>Time out</b>	N/A
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<b>Parts of permit assessed</b>	Monitoring and Reporting Requirements
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<b>NRW Lead officer</b>	Guy Baskerville	<b>Accompanied by</b>	N/A
<b>Report sent to – Name and position</b>	Michael Vernal HSE Manager	<b>Date</b>	20 February 2023

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales	C4 No environmental impact	4.1.2 4.1.5

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

Total number of non-compliances recorded	Total non-compliance score
1	0.1

### 2. What action is required?

Criteria	Action needed	Complete by
G4	Operator to submit future monitoring and performance reports inside reporting windows.	N/A

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 prosecutions and/or suspension or revocation of your permit.

#### 4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter *NRW*) assessment against Hydro Aluminium UK Limited (hereafter '*the operator*') **annual** [2022] monitoring and reporting requirements. NRW's assessment of the operator's monitoring returns data is outside the scope of this CAR and any non-compliance arising from an exceedance of a permitted emission limit will be recorded in a separate CAR.

##### Attendees:

##### Natural Resources Wales

Guy Baskerville [Senior Industry Regulation Officer]

##### Hydro Aluminium UK Limited

Michael Vernall (HSE Manager)

Condition 4.1.2 of the environmental permit states:

*The operator shall, unless otherwise agreed in writing, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:*

- 4.1.2.1 in respect of the parameters and emission points specified in table S2 to Schedule 2;*
- 4.1.2.2 for the reporting periods specified in S2 to Schedule 2 and using the forms specified in S3 to Schedule 3;*
- 4.1.2.3 giving the information from such results and assessments as may be required by the forms specified in those tables; and*
- 4.1.2.4 to the Agency [sic] within 28 days of the end of the reporting period.*

Table S2 of Schedule 2 to the environmental permit is reproduced below.

Table S4.1 Reporting of monitoring data			
Parameter	Emission point	Reporting period	Period begins
Cadmium and its compounds (g/year)	S1	Annually	01/01/10
Cadmium and its compounds (mg/l)	S1	Annually	01/01/10
Chromium (mg/l)	S1	Annually	01/01/10
Copper (mg/l)	S1	Annually	01/01/10
Lead (mg/l)	S1	Annually	01/01/10
Mercury and its compounds (g/year)	S1	Annually	01/01/10
Mercury and its compounds (mg/l)	S1	Annually	01/01/10
Nickel (mg/l)	S1	Annually	01/01/10
Zinc (mg/l)	S1	Annually	01/01/10
pH	S1	Annually	01/01/10
Water usage	Installation	Annually	01/01/10
Energy usage	Installation	Annually	01/01/10
Waste disposal and/or recovery	Installation	Annually	01/01/10

Table S3 of Schedule 3 to the environmental permit is reproduced below.

Table S3 Reporting forms		
Media/parameter	Form number	Date of form
Sewer	S1	01/03/05
Energy	E1	01/03/05
Waste Return	R1	01/03/05
Water Usage	WU1	01/03/05

Monitoring report(s) had not been submitted at the time of assessment.

The monitoring report(s) submission was not made inside the reporting window which represents non-compliance with the environmental permit.

Condition 4.1.4 of the environmental permit states:

*The operator shall review fugitive emissions, having regard to the application of Best Available Techniques, on an annual basis, or such other period as shall be agreed in writing by the Agency [sic], and a summary report on this review shall be sent to the Agency [sic] detailing such releases and the measure taken to reduce them within 3 months of the end of such period.*

An annual fugitive emissions summary report had not been submitted at the time of assessment. However, the 3-month reporting period does not elapse until 31 March 2023.

Condition 4.1.5 of the environmental permit states:

*Where the operator has a formal environmental management system applying to the permitted installation which encompasses annual improvement targets the operator shall, not later than 31 January each year, provide a summary report of the previous year's progress against such targets.*

An annual improvement targets summary report had not been submitted at the time of assessment.

The annual improvement targets summary report submission was not made inside the reporting window which represents non-compliance with the environmental permit.

**As a result of the non-compliances detailed above, a consolidated CCS Score [C4] has been recorded against compliance sub-criteria G4: Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales.**

*Action 1: Operator to submit future monitoring and performance reports inside reporting windows.*

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[END]

## 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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

### 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.