

Compliance Assessment Report CAR_NRW0043607

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: Report/Data Review,

Reason: Routine.

On: 18/12/2023.

Parts of permit assessed: Annual returns and monitoring .

NRW Lead Officer: Jamie Blythin.

Report sent to: Rhian Newton , UK SHE Manager, on 08/04/2024.

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

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition |
|---|-------------------|------------------|
| IR3E - Installations - Emissions and monitoring - Monitoring | C3 Minor | 3.3.1 |
| IR3A - Installations - Emissions and monitoring - Emissions to water, air or land | Assessed (A) | |
| IR4B - Installations - Information - Reporting | Action only (X) | |

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

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 1 | 4 |

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 |
|----------|--|-------------|
| IR3E | Action 1- Ensure samples are taken at emission point S1 within the permitted frequency (every 6 months) and sent for analysis at a third party UKAS accredited laboratory. | 01/07/2024 |
| IR4B | Action 2-Action only- Ensure data is accurately reported to | 01/07/2024 |

| Criteria | Action needed | Complete by |
|----------|---------------|-------------|
| | NRW. | |

Compliance 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 (2023) that was received by Natural Resources Wales (NRW) on 31/01/24.

Air emissions monitoring

With reference to form A1, annual air emissions monitoring (lead and particulates) was carried out on emission points B6 (30/06/23), B7 (30/06/23) and B24 (17/11/23). The monitoring campaign was completed by an MCERTS accredited third-party test house. All results were within the permitted ELVs.

Emissions to sewer

In relation to emission point S1, the operator provided sample results for Lead and Zinc which were sampled on 16/06/23.

Permit condition 3.3.1. requires that 'The operator shall, unless otherwise agreed in writing with the Environment Agency, undertake the monitoring specified in the tables in schedule 3 to this permit:

(a) point source emissions specified in tables S3.1, S3.2 and S3.3.'

Table S3.3 specifies that emissions to sewer (Lead and Zinc) should be sampled from emission point S1 every 6 months (period begins 1 January, 1 July) using a UKAS approved method.

The operator has completing monitoring within the period January 2023 - July 2023 but not for the period July 2023 - December 2023. NRW considers this a breach of condition 3.3.1 (IR3E-Monitoring- C3).

Action 1- Ensure samples are taken at emission point S1 within the permitted frequency (every 6 months) and sent for analysis at a third party UKAS accredited laboratory.

In the annual returns, submitted to NRW 31/01/24, the operator stated that the samples taken on 16/06/23 from emission point S1 recorded values of 0.061mg/l vs permitted Emission Limit Value (ELV) of 0.5mg/l for Lead and 0.001mg/l vs ELV 2mg/l.

The laboratory test report for this sample states that it was tested for both unfiltered and filtered Lead and Zinc.

The laboratory test report recorded the following results:

Unfiltered Lead- 611 ug/l (0.61 mg/l)

Filtered Lead- 22.1 ug/l (0.022 mg/l)

Unfiltered Zinc- 13.1 ug/l (0.013 mg/l)

Filtered Zinc- 6.3 ug/l (0.006 mg/l)

There is a discrepancy / error with the results stated by the operator at 0.061mg/l as the lab results for unfiltered Lead 0.6mg/l are above the permitted ELV and should be considered as a breach of permit condition 3.1.2. However, the lab results for filtered Lead, 0.02 mg/l, are below the ELV.

Action 2-Action only- Ensure data is accurately reported to NRW.

Table S3.3 of the permit requires that lead and zinc are analysed. It does not state 'total' or 'dissolved' but ordinarily NRW would interpret 'lead' to mean 'total lead.'

The operator has historically analysed for dissolved lead (filtered samples).

NRW has reviewed the permit application documents and sector Bref. The permit decision document refers to dissolved lead in the context of the H1 risk assessment and uses an emission limit value of 0.5mg/l that is of unknown origin. There remains some uncertainty as to the exact monitoring requirement.

For the purposes of the review of annual monitoring returns, we have not determined the monitoring of dissolved lead to be in breach of permit on this occasion. However, this issue will be progressed via separate correspondence.

Annual waste disposal and recovery

With reference to form W1, total waste produced at the site was higher in 2023 (327 tonnes) compared with 2022 (225 tonnes).

Annual water use

With reference to form WU1, total water use at the site was lower in 2023 (6235m3)

compared to 2022 (6315m3).

Annual energy use

With reference to form E1, total energy use at the site was higher in 2023 (6,484757KWh) compared to 2022 (6,080537 KWh).

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.