

## Compliance Assessment Report CAR\_NRW0044129

**Permit being assessed:** BK3638IF.

**For:** Wrexham Aluminium Works EPR/BK3638IF, **held by:** HYDRO ALUMINIUM DEESIDE LTD

**At:** BRIDGE ROAD WREXHAM INDUSTRIAL ESTATE , WREXHAM, WREXHAM, LL13 9SQ.

**Type of assessment:** Report/Data Review,

**Reason:** Routine.

**On:** 29/04/2024.

**Parts of permit assessed:** See report.

**NRW Lead Officer:** Kathryn Bradshaw.

**Report sent to:** Stuart Taylor, Production & Quality Manager, on 10/05/2024.

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

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

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

Total 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?

Criteria	Action needed	Complete by
IR3A	Resolve technical issue with A1 dust emission probe and calibration. Submit Schedule 5 Part B when root cause of the issue has been identified.	12/07/2024

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.

**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

This Compliance Assessment Report (CAR) has been raised in relation to the Q1 2024 monitoring and waste returns.

#### **Q1 Monitoring Returns - Air**

The Q1 monitoring returns were received on 25th April 2024 for emissions from A1, A12 and A13 emission points in compliance with the timescales stipulated in permit condition 4.2.3.

Reported parameters for A12 and A13 were in compliance with the ELV's defined in Schedule 3 table S3.1.

The results for the A1 emission point was above the ELV of 5mg/m<sup>3</sup>.

A Schedule 5 Part A was received on 9th February 2024 explaining about technical problems the site was having with the A1 continuous emission probe:

*Technical issue with A1 continuous monitoring dust probe causing unreliable data collection, compounded by limited availability of support from service provider. Issue occurred at point of calibration causing the probe data to jump from <1mg/m<sup>3</sup> to a max daily average of 9.9mg/m<sup>3</sup>. Service provider removed the new calibration factor and probe data jumped further to a maximum daily average of 42.7mg/m<sup>3</sup>.*

*\*Calibration factor was briefly adjusted again causing a result of >3000mg/m<sup>3</sup> however this was promptly returned to the calibration factor it was prior.*

*Confident this is a technical issue on account of:*

*-Coincided with the calibration update*

*-Physical test data (from which the calibration was performed) was within permit limits (2.1mg/m<sup>3</sup>)*

*-No change to our process*

*-Bag plant confirmed to be working correctly with all bags within process life and without leaks*

*-During production stop, a maximum daily emission average of 4.8mg/m<sup>3</sup> was recorded despite all process equipment was switched off*

*-A12 and A13 emission probes are returning results within permit limits*

*Although the issue was detected on the 09-Jan024, as it was clearly a technical issue, up until the 08-Feb2024 it was believed that our service provider would be able to correct the issue including any effected past data.*

*Current actions:*

*-Implement weekly inspection of bagplant bags to ensure integrity (started and ongoing)*

*-Arrange for physical dust test to (1) give further confidence in dust emission and (2) generate data for calibration. (Scheduled for 29Feb-01Mar)*

*-Arrange for a further service of the dust probe (Scheduled 15Feb)*

*-Evaluate options to source a temporary dust monitor (Enquiries made)*

*-Evaluate dust monitoring system support capability*

Further testing has been done by a contractor and these results have been submitted showing A1 emission point results of 1.1 mg/m<sup>3</sup> which were undertaken on 29/02/24, well below the ELV. Emission points A1 and A12 go through the same bag plant and the results for A12 were well below the ELV.

Scores may be applied once further information and a Part B is received.

### **Q1 Monitoring Returns - Water**

The Q1 monitoring returns were received on 25th April 2024 for discharges from W1 emission point in compliance with the timescales stipulated in permit condition 4.2.3.

Reported parameters were all in compliance with the emission limit values (ELV's) defined in Schedule 3 table S3.2.

### **Q1 Waste Returns**

The Q4 waste returns were received on 26th April 2024 for wastes accepted for the quarter January to March 2024 within the timescale stipulated in permit condition 4.2.5.

The waste returns were reviewed and there were no issues identified.

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](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.