

Compliance Assessment Report CAR_NRW0043896

Permit being assessed: EP3935UC.

For: Waunarlwydd Works, **held by:** Swan Alloy Uk Ltd

At: Waunarlwydd Works, Westfield Industrial Park, Waunarlwydd, Swansea, SA5 4SF.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 29/03/2024 - 16/05/2024.

Parts of permit assessed: Q1 2024 monitoring returns. Schedule 3 emissions and monitoring. Condition 4.2, Schedule 4 Reporting, Table S4.1.

NRW Lead Officer: Kirsty Thomas.

Report sent to: Swan Alloy UK Ltd, HSE Manager, on 16/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	Condition 3.1.2
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Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
3	12

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	ACTION - Implement water sample failure corrective action plan to improve Ammoniacal Nitrogen emissions to WA1.	Already completed

Criteria	Action needed	Complete by
	Submit confirmation to NRW that the action plan has been completed and implemented. Swan Alloy confirmed that the V ditch replacement work was completed on the 28th February 2024 and the water sample was taken 29.2.2024. This action is now complete.	
IR3A	Action following ELV exceedances in February and March of Aluminium. As above, improvement works to the V ditch have been completed and a further water sample was taken on the 25.3.204.	Already completed
IR3A	Action - Operator to re-construct the v-ditch and ensure increased housekeeping regimes in the yard area. On completion of the v-ditch, the operator is required to collect three water samples for testing. Samples to be collected from the front yard, bag house side and yard side. The Operator must submit results to NRW along with photographs showing the re-constructed v-ditch. If water samples exceedances for emission point WA1 continue to exceed, further investigation and implementation measures must be determined. Action required following ELV exceedances of Aluminium, Ammoniacal Nitrogen and Suspended Solids.	07/06/2024

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 CAR form has been issued in response to the submission of the Q1 (January-March) 2024 monitoring returns by the operator (swan Alloy UK Limited) for activities at Waunarlwydd Works, Swansea, SA5 4SF under permit number EPR-EP3935UC.

Monitoring returns include emissions to air (emission point A4) and emissions to surface water (emission point WA1) as emissions listed in Schedule 3 of the environmental permit. Reporting forms A1 Air and W1 Water were submitted to NRW.

Monitoring returns for air and limited returns for water were submitted on the 29th March 2024 (additional monitoring return information for water was provided on the 11th April 2024). Monitoring returns were within the reporting period specified in permit condition 4.2.3 Reporting.

Emissions to air (emission point A4) - Reporting form A1 21/02/2023

- The Q1 submissions included the results for all parameters required over this period as Specified in Table S3.1 (Particulate Matter, Oxides of Nitrogen, Hydrogen Chloride, Volatile Organic Compounds, Sulphur Dioxide and Fluorides).
- The reported emissions were within emission limits specified in the permit for the Q1 monitoring period.

Emissions to water (emission point WA1)

- The Q1 submissions included the results for all parameters specified in Table S3.2.
- It was noted that no suspended solids sample was able to be taken during January 2024 sampling due to insufficient water for lab.
- The reported emissions were within emission limits specified in the permit for the Q1 monitoring period with the exception of Ammoniacal Nitrogen expressed as Nitrogen (Total N), Suspended Solids and Aluminium and its compounds expressed as Aluminium (Total Al).
- Ammoniacal Nitrogen, Suspended Solids and Aluminium were in exceedance of the specified permit limits. Schedule 5 Notifications were submitted to NRW for the January, February and March 2024 exceedances.

Schedule 5 Notification - January 2024 breach

On the 7th February 2024, the operator submitted a Schedule 5 Notification containing a Part A detailing an exceedance of an emission limit at WA1.

On 31st January 2024, a sample result of 2.58mg/l of Ammoniacal Nitrogen was recorded (sampling taken 3rd January 2024).

Table S3.2 of the permit dictates the parameters for the emission types:

- Emission point WA1 for Ammoniacal Nitrogen expressed as Nitrogen (Total N) shall not exceed 1.5mg/l

This sample result (obtained in January 2024) has exceeded the emission limit value specified in Table S3.2.

Part B of Schedule 5 and a water sample failure corrective actions plan was also submitted on the 7th February 2024 after having investigated further by the Operator. Actions undertaken by the Operator as follows:

- The Operator escalated the issue Plant Manager and site, with repeat water samples taken.
- The Operator engaged with their environmental consultants for support and direction.
- Daily house keeping regimes are in place with external 3rd party jet sweeper.
- Communications with employees working in the area to be vigilant with regards to housekeeping. Further actions to be agreed.
- Service inspection undertaken by 3rd party contractor.

NRW have been notified of previous action to be completed as per CAR_NRW0043290:

ACTION - Implement water sample failure corrective action plan to improve Ammoniacal Nitrogen emissions to WA1. Submit confirmation to NRW that the action plan has been completed and implemented.

Swan Alloy confirmed that the V ditch replacement work was all completed 28th February 2024 and the water sample was taken 29.2.2024. Therefore this action is now complete.

Schedule 5 Notification - February 2024 breach

On the 29th March 2024, the operator submitted a Schedule 5 Notification containing a Part A detailing an exceedance of an emission limit at WA1.

On 28th March 2024, a sample result of 2.2mg/l of Ammoniacal Nitrogen and 1.59mg/l Aluminium was recorded (sampling taken 29th February 2024).

Table S3.2 of the permit dictates the parameters for the emission types:

- Emission point WA1 for Ammoniacal Nitrogen expressed as Nitrogen (Total N) shall not exceed 1.5mg/l.
- Emission point WA1 for Aluminium shall not exceed 1.5mg/l.

This sample result (obtained in February 2024) has exceeded the emission limit value specified in Table S3.2.

Part B of Schedule 5 was submitted as the same time as the Part A with similar details as provided in the previous month Schedule 5 notification. As above, improvement works to the V ditch have been completed and a further water sample was taken on the 25.3.2024.

Schedule 5 Notification - March 2024 breach

On the 11th April 2024, the operator submitted a Schedule 5 Notification containing a Part A detailing an exceedance of an emission limit at WA1.

On 10th April 2024, a sample result of 96mg/l of Suspended Solids and 10mg/l Aluminium was recorded (sampling taken 25th March 2024).

Table S3.2 of the permit dictates the parameters for the emission types:

- Emission point WA1 for Total Suspended Solids shall not exceed 50mg/l.
- Emission point WA1 for Aluminium shall not exceed 1.5mg/l.

This sample result (obtained in March 2024) had exceeded the emission limit value specified in Table S3.2.

Part B of Schedule 5 was submitted on the 10th May 2024. Measure to rectify the issue include:

- Discussions with plant employees and also the contractor who recently completed the V ditch work.
- Housekeeping regimes in the yard area have been increased.
- Following a team review, it has been decided that the V ditch work will be re-

completed by the contractor. Once the work has been completed and following the next rainfall, three samples will be collected from the front yard (bag house side and yard side, into the interceptor and also the WA1 sample point. This should help to identify where the issue is (however the laboratory, need 3 sets of equal samples to provide the same suite testing).

Action - Operator to re-construct the v-ditch and ensure increased housekeeping regimes in the yard area. On completion of the v-ditch, the operator is required to collect three water samples for testing. Samples to be collected from the front yard, bag house side and yard side. The Operator must submit results to NRW along with photographs showing the re-constructed v-ditch. If water samples exceedances for emission point WA1 continue to exceed, further investigation and implementation measures must be determined.

A compliance breach will be assigned for the permit limit exceedance of Ammoniacal Nitrogen, Suspended Solids and Aluminium at WA1 emission point.

Ammoniacal Nitrogen Compliance breach - In accordance with NRW's compliance scoring guide, a non-compliance score of C3 has been recorded against sub-criteria IRA3 - Emissions and monitoring - Emissions to water, air or land. Condition 3.1.2: *"The limits given in Schedule 3 shall not be exceeded"*.

In accordance with NRW's non-compliance scoring guidance, the non-compliance scores for the multiple Ammoniacal Nitrogen breaches during Q1 2024 reporting period have been consolidated into one non-compliance score.

Suspended Solids Compliance breach - In accordance with NRW's compliance scoring guide, a non-compliance score of C3 has been recorded against sub-criteria IRA3 - Emissions and monitoring - Emissions to water, air or land. Condition 3.1.2: *"The limits given in Schedule 3 shall not be exceeded"*.

Aluminium Compliance breach - In accordance with NRW's compliance scoring guide, a non-compliance score of C3 has been recorded against sub-criteria IRA3 - Emissions and monitoring - Emissions to water, air or land. Condition 3.1.2: *"The limits given in Schedule 3 shall not be exceeded"*

In accordance with NRW's non-compliance scoring guidance, the non-compliance scores for the multiple Aluminium breaches during Q1 2024 reporting period have been consolidated into one non-compliance score.

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.

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.