

Compliance Assessment Report CAR_NRW0045299

Permit being assessed: AN0267401

For: ALEXANDRA DOCKS NEWPORT, held by SAICA PACK UK LTD

At: ALEXANDRA DOCKS, NEWPORT, NEWPORT CBC, WALES, .

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

On 04/09/2024, between 10:00 and 11:00.

Parts of permit assessed: Site Operations

NRW Lead Officer: Gavin Dodd.

Report sent to: Phillip Stevens , QSE, on 27/09/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C1 Major	Condition 7: The discharge shall not contain more than 100 milligrammes per litre of suspended solids (measured after drying at 105 °C)
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C1 Major	Condition 8 (a): As far is reasonably practicable, the treatment plant shall be operated as to prevent any matter being present in the Discharge, other than matter specifically covered by numerical conditions in this consent, to such an extent as to cause the receiving waters, or any waters of which the receiving waters are a tributary, to be poisonous or injurious to fish in those waters, or to the spawning grounds, spawn or food of fish in those waters, or otherwise cause

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		damage to the ecology of those waters.

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	Provide a detailed report on the specifications of the treatment system, the treatment process, the cause of the permit breaching the suspended solids limit and the remediation actions which have been taken to ensure the site remains compliant with this permit moving forward	01/11/2024
WQ-C1	Investigate the cause of the 'black matter' discharging from your consent point	01/11/2024

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

On 04/09/2024 NRW officers collected a routine sample from the Saica Pack site for permit AN0267401, a discharge of treated trade effluent to the Usk estuary.

This discharge was in breach of the permit. The limit for suspended solids is 100mg/l, but suspended solids in the discharge on this date was 1870 mg/l.

An inspection was carried out on the 25/09/2024 by officer Gavin Dodd following the non compliance. Site QSE manager Phillip Stevens was also in attendance.

The consent point for the discharge was first inspected. This was not accessible on the occasion of the last inspection but access had since been restored. The water discharging from the pipe here appeared black in colour, though Mr Phillips mentioned that there was coal workings upstream of the SCA site that also had connectivity to the discharge point. The NGR matched that provided in the permit for the consent point of the permit.

Officer GD next inspected the discharge after it had gone through the treatment process, prior to it being discharged to the Usk. This water appeared clear as it entered a barrel, though there was some foam also present in this barrel. The sample had a pH reading of 7.7 (compliant with permit limit for pH) and did contain some suspended solids, though the 'black matter' present in the discharge on 04/09/2024 was not being discharged during the inspection.



Figure 1: Consent point for the discharge



Figure 2: Sample for visual inspection after the treatment process



Figure 3: pH reading for the sample taken

Breaches of permit condition

Condition 7: The discharge shall not contain more than 100 milligrammes per litre of suspended solids (measured after drying at 105 °C).

Justification: Suspended solids in the discharge were 1870 mg/l.

Condition 8 (a): As far is reasonably practicable, the treatment plant shall be operated as to prevent any matter being present in the Discharge, other than matter specifically covered by numerical conditions in this consent, to such an extent as to cause the receiving waters, or any waters of which the receiving waters are a tributary, to be poisonous or injurious to fish in those waters, or to the spawning grounds, spawn or food of fish in those waters, or otherwise cause damage to the ecology of those waters.

Justification: Discharge was not within the limits specified in the permit and the discharge appeared to have significant 'black matter' present in it.

Action required by dates specified:

- Investigate the cause of the 'black matter' discharging from your consent point

- Provide a detailed report on the specifications of the treatment system, the treatment process, the cause of the permit breaching the suspended solids limit and the remediation actions which have been taken to ensure the site remains compliant with this permit moving forward.
- Provide a drainage plan of the site.
- Provide details of the wash down process and when this is undertaken.

The deadline for the above actions is 1/11/2024

Contact details:

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Gavin Dodd, Environment Officer, gavin.dodd@cyfoethnaturiolcymru.gov.uk, 07929 749861

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

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 to 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
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

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

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

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.