

Compliance Assessment Report CAR_NRW0044574

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: 20/06/2024 - 02/12/2024.

Parts of permit assessed: Q2/Q3 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 02/12/2024.

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	Assessed (A)	
IR4B - Installations - Information - Reporting	C3 Minor	Condition 4.2.5
IR3E - Installations - Emissions and monitoring - Monitoring	Assessed (A)	
IR4C - Installations - Information - Notification	Assessed (A)	
IR4B - Installations - Information - Reporting	C3 Minor	Condition 4.2.5

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

Total non-compliances recorded	Total non-compliance score
2	8

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
IR4B	Provide waste returns as required by Condition 4.2.5 of the	31/01/2025

Criteria	Action needed	Complete by
	permit	
IR4B	Provide waste returns as required by Condition 4.2.5 of the permit	31/01/2025

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 Q2 (April-June) and Q3 (July -September) 2024 monitoring returns by the operator (Swan Alloy UK Limited) for activities at Waunarlyydd Works, Swansea, SA5 4SF under permit number **EPR-EP3935UC**.

Previous CAR Form actions:

Previous CAR Form actions - CAR_NRW0043896		
Action	Details	Status
1	Implement water sample failure corrective action plan to improve emissions to WA1. Submit confirmation to NRW that the action plan has been completed and implemented.	Complete
2	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.	Ongoing - v-ditch has been re-constructed but water sample at three locations (front yard, bag house side and yard side) results still yet to be submitted to NRW
Previous CAR Form actions - CAR_NRW0044124		
1	The operator to provide waste returns as required by Condition 4.2.5 of the environmental permit EPR-EP3935UC	Ongoing
2	The operator to confirm when the permit variation for the inclusion of mechanical salt slag size reduction processes on site has been submitted to NRW.	Complete (permit variation submitted to NRW 13th May 2024)

Q2 monitoring returns 2024

Monitoring returns include emissions to air (emission point A4) as emissions listed in

Schedule 3 of the environmental permit. Reporting form A1 Air was submitted to NRW. Monitoring returns for air were submitted on the 20th June 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 Q2 submissions included the results for all parameters required over this period as Specified in Table S3.1 (Particulate Matter, Hydrogen Chloride, Volatile Organic Compounds, Sulphur Dioxide and Dioxins).
- The reported emissions were within emission limits specified in the permit for the Q2 monitoring period with the exception of Particulate Matter.

Schedule 5 Notification - June 2024 breach

On the 20th June 2024, the operator submitted a Schedule 5 Notification detailing an exceedance of the Particulate Matter emission limit for emission point A4.

Table S3.1 of the permit dictates the parameters for the emission:

- Emission point A4 for Particulate Matter shall not exceed 5mg/m³ (rolling 3 hour average)

On the 21st May 2024, a result of 10.5mg/m³ was recorded following external air emissions monitoring tests. At the time of the testing on the 21st May 2024, the Swan Alloy SCADA monitoring system was working as normal with a reading of 1.91mg/m³.

A particulates test results failure investigation was undertaken and fed back to NRW on the 5th August 2024. A summary of the investigation is as follows:

A sample retest was carried out on the 26th June 2024 and the external monitoring results and Swan Alloys SCADA monitoring results were in correlation. Following an investigation, the root cause of why there was a discrepancy between the results presented on the 21st May is unknown. Following the exceedance, Swan Alloys team have been checking the bag house filter socks by compartment. Historically these have been changed 5 yearly but have now been amended to 3 yearly and will be monitored on an ongoing basis.

The permit requires the main stack (A4) to be monitored for particulates continuously with a rolling 3 hour average reference period (monitoring method BS EN 13284-1 and MID). The maximum value over the 3 hour rolling average is required to be reported. Given the external testing was a spot sample (not a 3 hour rolling average), Swan Alloys SCADA monitoring system (PCME readings) results were all below the permit limit throughout May 2024 for particulate matter and that the retest results were in line with permit limits, exceedance against the permit limit will not be scored at this time.

Emissions to water (emission point WA1)

Water monitoring results for WA1 over April, May, June 2024 were unable to be collected due to the work being completed on the V Ditch. A pH reading was taking indicating a pH between 8-9. Swan Alloy confirmed they were unable to obtain enough water to take

samples from the three areas as detailed in action 2 of **CAR_NRW0043896**. This action will remain open.

Waste returns

Condition 4.2.5 of the permit requires Swan Alloy to report the waste accepted and removed from the site during the previous quarter; if during that quarter the total amount accepted exceeds 100 tonnes of non-hazardous waste or 10 tonnes of hazardous waste.

Swan Alloy have not provided information in line with condition 4.2.5. ***In accordance with NRW's compliance scoring guide, a non-compliance score of C3 has been recorded against sub-criteria IR4B - Reporting - Condition 4.2.5.***

Q3 monitoring returns 2024

Q3 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 water were submitted on the 15th October 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 Q3 submissions included the results for all parameters required over this period as Specified in Table S3.1 (Particulate Matter, Hydrogen Chloride, Volatile Organic Compounds, Sulphur Dioxide and Hydrogen Fluoride).
- The reported emissions were within emission limits specified in the permit for the Q3 monitoring period.

Emissions to water (emission point WA1)

- The Q3 submissions included the results for all parameters required over this period as Specified in Table S3.2 (total suspended solids, total dissolved solids, oil and grease, copper, lead, tin, zinc, aluminium, mercury, arsenic, nickel, ammoniacal nitrogen and pH).
- No sample was able to be obtained through July 2024. Results taken for August and September.
- The reported emissions were within emission limits specified in the permit for the Q3 monitoring period.

Water samples from the three areas as detailed in action 2 of **CAR_NRW0043896** have not been able to be collected and therefore the action remains open.

Waste returns

Condition 4.2.5 of the permit requires Swan Alloy to report the waste accepted and removed from the site during the previous quarter; if during that quarter the total amount accepted exceeds 100 tonnes of non-hazardous waste or 10 tonnes of hazardous waste.

Swan Alloy have not provided information in line with condition 4.2.5. ***In accordance with NRW's compliance scoring guide, a non-compliance score of C3 has been recorded against sub-criteria IR4B - Reporting - Condition 4.2.5.***

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.