

Natural Resources Wales Permitting Decisions

Swan Alloy UK Ltd

Decision Document

Application for a Normal Variation

The application number is: PAN-025705

The permit variation number is: EPR/EP3935UC/V010

The applicant / operator is: Swan Alloy UK Ltd

**The Installation is located at: Swan Alloy UK Limited, Waunarlwydd Works,
Waunarlwydd, Swansea, SA5 4SF.**

Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise, we have accepted the applicant's proposals.

1. Executive summary

1.1. Application summary

Swan Alloy is making this application to carry out a 'Normal' Variation of their existing EPR permit under The Environmental Permitting (England and Wales) (Amendment) Regulations 2018 in order to permit the mechanical pre-treatment of the salt slag prior to export off site.

1.2. Our decision

We have decided to issue the variation for Swan Alloy UK Ltd operated at Swan Alloy UK Limited, Waunarlwydd Works, Waunarlwydd, Swansea, SA5 4SF.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

2. Receipt of the application

The application was accepted as duly made on 22/11/2024. This means we considered it was in the correct form and contained sufficient information for us to begin our determination, but not that it necessarily contained all the information we would need to complete that determination.

The application was received on 13/05/2024. In order for us to be able to consider the application duly made, we needed more information. We requested the following:

- Provide clarity on the proposed activity.
- Amend the reference to Real Alloy (UK) as the operating entity within the Introduction section of Annex 1_Environmental Risk Assessment.
- Provide clarification on location of the proposed activity within the installation boundary.
- Query with regards to potential increase in Noise emissions with particular regard to location of existing and proposed activities.
- Provide details on the proposed equipment to undertake waste treatment.
- Request to provide an updated Dust management plan.

A letter requesting this information was sent to the applicant on 16/10/2024. Upon receipt of this information, on 08/11/2024, we were able to consider the application duly made. This means we considered it was in the correct form and contained sufficient information for us to begin our determination, but not that it necessarily contained all the information we would need to complete that determination.

3. Confidential information

The applicant made no claim for commercial confidentiality, and we have not received information in relation to the application that appears to be confidential in relation to any party.

4. Legislation

The variation will be issued, under Regulation 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* as described by the IED;
- subject to aspects of the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016 which also have to be addressed.

We address the legal requirements directly where relevant in the body of this document. NRW is satisfied that the decision on this application is consistent with its general purpose of pursuing the sustainable management of natural resources (SMNR) in relation to Wales and applying the principles of SMNR. In particular, NRW acknowledges that it is a principle of sustainable management to take action to prevent significant damage to ecosystems. We consider that, in issuing the variation a high level of protection will be delivered for the environment and human health through the operation of the Installation in accordance with the permit conditions. NRW is satisfied that this decision is compatible with its general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.

5. The Installation

5.1. The permitted activities

The regulated facility is currently an installation which comprises the following activities listed in Part 2 of Schedule 1 to the Environmental Permitting Regulations:

- S2.2 A1(b) i
Melting, including making alloys, of non-ferrous metals, including recovered products and the operation of non ferrous metal foundries where the plant has a melting capacity of more than 4 tonnes per day for lead or cadmium or 20 tonnes per day for all other metals'

An installation may also comprise “directly associated activities”, which at this Installation includes:

- Sampling and analysis of aluminium alloys and aluminium scrap metal.
- Storage of salt slag

The regulated facility will also undertake waste operation(s) including:

- Shredding and baling of waste
R4: Recycling/reclamation of metals and metal compound
Storage of waste prior to Melting, including making alloys (activity A1)
R13: Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced)
- Mechanical Treatment of Salt Cake
R5: Recycling/reclamation of other inorganic materials
R13: Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced)

Together, these listed and directly associated activities comprise the Installation.

5.2. What the installation will do / Changes to the installation

Swan Alloy already pre-treats and mechanically reduce the sizing of their incoming dross materials, however, their permit EPR/EP3935UC did not previously permit the mechanical reduction of outgoing salt slag waste materials therefore installation activities following this variation remain the same, but a waste activity (numbered A3) has been added to allow the treatment of outgoing salt slag.

6. Operation of the installation

6.1. Environmental Management System

The applicant has stated in the application that they will continue to implement an Environmental Management System (EMS) that will meet the requirements for an EMS in our “How to comply with your environmental permit” guidance¹. Updated management plans featured in the applicants variation documentation will now be updated within the facilities EMS.

We have reviewed the application and are satisfied that appropriate management systems and management structures will be in place for this Installation, and that sufficient resources are available to the Operator to ensure compliance with all the Permit conditions.

6.3. Operating techniques

Avoidance, recovery or disposal of wastes produced by the activities

¹ [Natural Resources Wales / Guidance to help you comply with your environmental permit](#)

Having considered the information submitted in the application, we are satisfied that the waste hierarchy referred to in Article 4 of the WFD will be applied to the generation of waste and that any waste generated will be treated in accordance with this Article.

We are satisfied that waste from the Installation that cannot be recovered will be disposed of offsite using a method that minimises any impact on the environment. Permit condition 1.4.1 of the permit will ensure that this position is maintained.

7. The site

7.1. Site Plan

The applicant has provided a site plan which we consider is satisfactory, showing the extent of the facility.

The plan will be included in the permit and the operator will be required to carry on the permitted activities within the site boundary. There is no change to the permit boundary as a result of this variation. The site plan in Schedule 7 has been updated to include the salt slag storage area provided by the applicant.

7.2. Site Condition Report

The proposal does not include the addition of any land and so a Site Condition Report was not required to support this application.

7.3. Site protection: potentially polluting substances and prevention measures

The operator has a duty to ensure that soil and groundwater are protected in order to meet the requirements of Articles 14 (1)(b), 14(1)(e) and 16(2) of the IED.

Based upon the information in the application we are satisfied appropriate measures will be in place to protect the site and its surroundings from polluting substances.

8. Environmental Risk Assessment

Regulated activities can present different types of risk to the environment, these include odour, noise and vibration; accidents, fugitive emissions to air and water; as well as point source releases to air, water, sewer and discharges to ground or groundwater, global warming potential and generation of waste. Some of these factors have been considered during our determination and the relevant risks from this proposal are discussed in this and other sections of this document.

Within the application there are no proposed changes or perceived impacts to point source emissions to air, water, sewer or land as such are not discussed in the following section/s.

The next sections of this document explain how we have approached the critical issue of assessing the likely impact of emissions from the Installation on human health and the environment and what measures we are requiring ensuring a high level of protection.

In line with our guidance, the applicant has provided an environmental risk assessment with the application which identifies and the sources of key risks from the variation, possible pathways and receptors. This risk assessment and further assessments provided by the applicant and/or completed by NRW will be discussed in further detail below.

8.1. Fugitive emissions

The applicant has identified the following potential fugitive emissions in their environmental risk assessment:

- Dust

The application details measures which will be in place for preventing and minimising fugitive emissions. We requested and the facility provide a Dust Emissions Management Plan which has been assessed and based upon the information in the plan and the application we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise fugitive emissions and to prevent pollution from fugitive emissions.

Permit condition 3.2.1 requires that emissions of substances not controlled by emission limits (i.e., fugitive emissions) shall not cause pollution. Condition 3.2.2 requires that a management plan shall be developed if pollution is subsequently identified. This variation incorporates the submitted Dust Management Plan into the permit operating techniques.

8.2. Noise and vibration assessment

The applicant have recognised sensitive receptors within the vicinity of the installation to include residential areas. Within the initial variation submission we questioned apparently contradictory statements in relation to equipment and location of the proposed varied activity. The response from the applicant provided further clarity on location and equipment used and is consistent with current practices undertaken on site. The response from the applicant is as follows: 'A noise risk assessment and management plan is not considered a requirement for this application due to the use of the sites existing excavator and the proposed activity taking place in the building where the excavator is already used.'

The existing NMP will be utilised and details measures which will be in place for preventing and minimising noise and/or vibration.

Conditions 3.4.1 of the permit requires noise from the activities to be below that which could cause pollution outside the site. We are satisfied that this will be sufficiently

protective in conjunction with the measures described by the applicant for minimising noise at the installation.

9. Impact on National Site Network Sites, SSSIs and non-statutory sites

The application provides an environmental risk assessment which outlines the hazard, receptor, pathway and risk management techniques and as stated above we had requested further information with regards to noise and fugitive dust emissions. The ERA states the activity may give rise to limited and contained dust emission and expand on mitigation measures as follows:

- *All processing takes place internally within the Storage Building with the roller shutter doors closed.*
- *All drop heights are minimised where possible.*
- *Dampening dust suppression is not appropriate due to the nature of the salt slag stored in the building which may emit flammable gases in contact with water.*
- *All delivery and collection vehicles are covered.*
- *Due to the enclosed nature of the activities dust emissions are not likely to give rise to impacts at offsite receptors.*

The ERA with regard to Noise states that the activity will not give rise to any additional noise onsite as the activity is already undertaken and is part of the existing noise climate. The following are mitigation measures stated within the ERA:

- *No processing will take place when roller shutter doors are open.*
- *Appropriate preventative maintenance will be provided for the plant to ensure no deterioration of plant or equipment that would give rise to increases in noise.*

The nearest SAC site is Carmarthen Bay and Estuaries (Site code: UK0020020) and is situated approximately 2.2km to the West of the facility. It is co-designated as a SPA, Ramsar and SSSI. Gower Commons SAC/SSSI is over 3 km to the south west, and Penplas grasslands SSSI a similar distance to the North East. Due to the enclosed nature of activities within the storage building and mitigation measures the risk from noise and fugitive dust is low. In conclusion, the plan or project is not likely to have a significant effect on these or any other European site, and no further consideration under the Habitats Regulations is required in order to determine the approval/application as there is no credible impact pathway (noise and fugitive dust having been considered and dismissed as inconsequential at that distance). The installation is not within 2km screening distance of any SSSI, and it is not considered that the operation is likely to damage these protected sites or their features, and no further consideration under the Wildlife and Countryside act is required. The closest non-statutory sites (local wildlife sites and ancient woodland) are over 1km from the installation, and it is not considered that significant harm from the proposed variation is credible, for the reasons already explained.

10. The Permit Conditions

There have been no changes to Emission Limit Values and associated monitoring and reporting requirements for this variation as it does not propose any changes to emission profiles.

10.1. Updating permit conditions during consolidation

We have updated condition 4.3.2 permit condition to those in the new generic permit template as part of this permit consolidation.

The old condition can be seen below:

Any information provided under condition 4.3.1 (a)(i), or 4.3.1 (b)(i) where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.

The updated condition can be seen below:

Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.

The operator has agreed that the new conditions are acceptable.

This variation also makes account and updates Schedule 4 Reporting - Table 4.1 Reporting of monitoring data to reflect outcomes of CAR_NRW0038312. The CAR form states "Real Alloys permit requires monthly reporting of its monthly WA1 emission point monitoring. To bring this requirement in line with other permit reporting parameters, the submission of the WA1 monitoring on a quarterly basis will now be classed as compliant. The monthly monitoring of emission point WA1 will continue to be required".

10.1 Incorporating the variation

We have specified that the applicant must operate the permit in accordance with descriptions in the application, including additional information received as part of the determination process.

These descriptions have been specified in the Operating Techniques table in the permit.

The amendments to the permit are as follows:

A3

Mechanical Treatment of Salt Cake

R5: Recycling/reclamation of other inorganic materials

R13: Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage, pending collection, on the site where it is produced)

The limits of specified and associated activities collectively comprise all activities carried out in association with the size reduction of salt cake and the export of size reduced materials from site.

Only waste by-products from the secondary aluminium remelting and recovery activity.

Storage for size reduced salt cake restricted to areas shown on Site layout plan in Sch 7.

All processing activities will take place within an enclosed building upon an impermeable surface.

11 OPRA

The OPRA score at permit issue is 77.