

Compliance Assessment Report CAR_NRW0050353

Permit being assessed: BL4567IZ.

For: Clydach Nickel Refinery, **held by:** Vale Europe Limited

At: CLYDACH REFINERY, Clydach, Swansea, Swansea, SA6 5QR.

Type of assessment: Audit,

Reason: Other.

On: 10/09/2025 between 10:00 and 14:30.

Parts of permit assessed: Operator Monitoring Assessment (Water OMA).

NRW Lead Officer: Elliot Jones, accompanied by Michael Launder.

Report sent to: Sustainability Supervisor , Vale Europe Ltd, on 14/01/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.1
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.2
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.4

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
IR3E	Operator to perform analysis in line with the approved method stated in the environmental permit or submit a request to NRW, including a justification, of the use of the colorimetric method. This should be supported by reference to the Technical Guidance Note M18: Monitoring of discharges to water and sewer.	31/03/2026

Criteria	Action needed	Complete by
IR3E	Operator to submit a report detailing proposed improvements to the process of storing samples in order to prevent degradation prior to analysis, with reference to the best practices outlined in Technical Guidance Note M18: Monitoring of discharges to water and sewer. The operator should also include specific proposals for monitoring temperature during transportation and retention prior to analysis.	31/03/2026
IR3E	Operator to submit evidence to NRW of the most recent external calibration of the continuous monitoring equipment required by the permit to have MCERTS certification	Already completed

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

On the 10th September 2025, NRW officers undertook an Operator Monitoring Assessment (OMA) for discharges to water at the Vale Nickel Refinery, Clydach. OMA assessments are used to assess the quality and reliability of monitoring undertaken at sites.

The operator scored a combined score in the four OMA elements of 62%.

The full OMA report can be found as an attachment to this compliance assessment report (CAR).

The OMA has identified areas requiring improvement from the operator, particularly OMA 4: Quality Assurance. Assessment of this element of the OMA revealed short falls in quality control, documentation of procedures, auditing of laboratory specific audits, and recording of training for relevant operatives.

Further recommendations are made within the OMA report for each individual element, these recommendations primarily relate to having a more robust monitoring programme and procedures.

Permit non-compliances identified during the OMA are discussed below.

Compliance Assessment

Non-compliance 1

The OMA identified that the ammonia analysis method being utilised by the operator does not conform with requirements of the environmental permit Table S3.2. The operator utilises a colorimetric method rather than the specified titration method (ISO5664).

Failure to perform analysis of the analyte with the approved method stated in the environmental permit Table 3.2 is contrary to permit condition 3.5.1.

In accordance with non-compliance scoring guidelines, a non-compliance score of **C3** has been allocated against criteria **IR3E - Monitoring**.

Action: Operator to perform analysis in line with the approved method stated in the environmental permit or submit a request to NRW, including a justification, of the use of the colorimetric method. This should be supported by reference to the Technical Guidance Note M18: Monitoring of discharges to water and sewer.

Non-compliance 2

The operator is required to store and transport samples in line with best practices outlined in Technical Guidance Note M18 in order to prevent degradation prior to analysis.

The samples collected from W1 monitoring point were not stored appropriately to prevent degradation between collection and analysis. The guidance relating to sample preservation of ammonia (a determinant requiring weekly analysis by the permit) requires that the sample be “[kept] in the dark and cool at $5\pm 3^{\circ}\text{C}$, target timescale for delivery to lab within 24 hours”. From observations on site, the samples were not refrigerated or kept in the dark.

The operator was also unable to provide evidence that any temperature monitoring of the analyte was being undertaken between retrieval and analysis.

The failure to track the temperature of collected samples is contrary to best practice and can affect the validity of sample results relied on for permit reporting. This is contrary to the record keeping requirements for monitoring in condition 3.5.2 of the permit.

In accordance with non-compliance scoring guidelines, a non-compliance score of **C3** has been allocated against criteria **IR3E - Monitoring**.

Action: Operator to submit a report detailing proposed improvements to the process of storing samples in order to prevent degradation prior to analysis, with reference to the best practices outlined in Technical Guidance Note M18: Monitoring of discharges to water and sewer. The operator should also include specific proposals for monitoring temperature during transportation and retention prior to analysis.

Non-compliance 3

Following the OMA site inspection, NRW officers requested evidence of the calibration of

the continuous monitoring equipment and reference standards for lab analysis.

The operator failed to provide evidence of the requested calibration certificates. The operator must retain evidence of calibration to demonstrate compliance with permit condition 3.5.4.

In accordance with non-compliance scoring guidelines, a non-compliance score of **C3** has been allocated against criteria **IR3E - Monitoring**

Action: Operator to submit evidence to NRW of the most recent external calibration of the continuous monitoring equipment required by the permit to have MCERTS certification.

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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- IR3A(2) – Emissions to air
- IR3A(3) – Emissions to 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.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** 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.