

Compliance Assessment Report CAR_NRW0036872

Permit being assessed: BB3790FX.

For: ALUK (GB) LTD, held by ALUK (GB) Ltd

At: Aluk GB Ltd, Newhouse Farm Industrial Estate, Mathern, Chepstow, Monmouthshire, NP16 6UD.

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

On 19/08/2020.

Parts of permit assessed: 3.1.2 Emissions to Sewer

NRW Lead Officer: Rebecca Green.

Report sent to: Toby Ambler, Health, Safety & Environmental Manager on 21/08/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor (Suspended)	1.1.1 (a)
B5 - Infrastructure - Plant and equipment	C3 Minor (Suspended)	1.1.1 (a) maintenance and operation
E4 - Emissions - Sewer	C4 No impact (Suspended)	3.1.2 Emissions to Sewer
A1 - Specified by permit	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
3	0

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
G1	Investigate the reason for the in-line AI monitor giving inaccurate results. Remedy the fault or find another method to measure AI concentration accurately in the discharge to sewer.	25/09/2020
B5	Investigate and remedy the reasons for ELV failures related	25/09/2020

Criteria	Action needed	Complete by
	to the filter press.	
E4	Prevent effluent discharging to sewer when it exceeds any permitted ELV.	04/09/2020

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.

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

Natural Resources Wales (NRW) have received four Schedule 5 Notifications from ALUK. The notifications were received on 12th, (8am, 5.0mg/L & 5.14pm, 2.5mg/L), 16th (2.6mg/L) and 19th August 2020 (3.9mg/L). They were all related to breaches of the emission limit value (ELV) for aluminium (Al) emissions to sewer, which is 2mg/L.

The notifications were all submitted within 24 hours of the breaches occurring.

ALUK took prompt action to reduce the concentration of Al discharging to sewer. Unfortunately their present method is to dilute the discharge with a mains water feed into the final discharge pipe. Dilution is not the solution to this problem and while it is acceptable in the very short term, NRW will not allow it to continue for a prolonged period.

ALUK are making progress towards completing **Action 2 in CAR_NRW0036841**, which should provide a satisfactory solution to this problem.

The ELV breaches seem to be related to the functioning of the filter press. On two occasions the operator has noticed that the pressure gauge on the filter press has been fluctuating and that the liquid coming from the press is not clear. This seems to happen after routine maintenance.

Action 1: Investigate the reasons for the pressure fluctuations. Review maintenance procedures.

Put corrective actions in place and inform NRW of the outcome by 25th September 2020.

The in-line Al monitor does not appear to be providing accurate and reliable results. ALUK tested a sample of demineralised water and the meter gave a reading of 1.5mg/L Al. The supplier is investigating this problem. In the meantime, and as a matter of good practice, ALUK should develop a way of verifying the Al concentration in the discharge. It is common practice to send a sample of any non-compliant discharge to an external laboratory for verification of any internal analysis results. ALUK currently send samples to their chemical supplier, but they do not receive the results quickly enough.

Action 2: Put in place a reliable method for verifying the results from the in-line Al monitor. Ideally the results should be available within 24 hours.

Procedure to be in place by 25th September 2020.

ALUK are making good progress with the actions in CAR_NRW0036841 and are showing a real willingness to address problems and become compliant. CAR_NRW0036876 discusses the progress with these previous actions.

ALUK are to be congratulated for their attitude and teamwork.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

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.