

## Compliance Assessment Report CAR\_NRW0036963

**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 24/09/2020.

Parts of permit assessed: Meeting to discuss progress with CARs 36841, 36872, 36904

**NRW Lead Officer:** Rebecca Green.

**Report sent to:** Toby Ambler, Health, Safety & Environmental Manager on 28/09/2020.

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

| Part of permitted activity assessed (criteria)                                                   | Assessment result | Permit condition |
|--------------------------------------------------------------------------------------------------|-------------------|------------------|
| E4 - Emissions - Sewer                                                                           | Action only (X)   |                  |
| B1 - Infrastructure - Engineering for prevention and control of emissions                        | Action only (X)   |                  |
| G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment | Action only (X)   |                  |
| C1 - General Management - Staff competency/training                                              | Action only (X)   |                  |
| A1 - Specified by permit                                                                         | Assessed (A)      |                  |
| C2 - General Management - Management system and operating procedures                             | Assessed (A)      |                  |
| G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records                     | 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 |
|------------------------------------------|----------------------------|
| 0                                        | 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 |
|----------|----------------------------------------------------------------------------------------------------------------------|-------------|
| E4       | Do not use dilution system.                                                                                          | 25/09/2020  |
| B1       | Install system to divert output from decantation tank and filter press through filtration before discharge to sewer. | 24/12/2020  |
| G1       | Re-site in-line AI monitor to prevent air entering sampling mechanism.                                               | 24/12/2020  |

| Criteria | Action needed                                    | Complete by |
|----------|--------------------------------------------------|-------------|
| C1       | Training in use of new equipment and procedures. | 29/01/2021  |

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

On 24<sup>th</sup> September 2020 Natural Resources Wales (NRW) were invited to attend a Teams meeting with AIUK.

Present for all or part of the meeting were -

Toby Ambler, Health, Safety & Environmental Manager, AIUK;

Graeme Bainbridge, Operations Director, AIUK;

Andrew Leaves, Head of Quality, AIUK;

Lloyd Goldsmith, Manufacturing Manager, AIUK;

Lewis Scott, Continuous Improvement Manager, AIUK;

Anthony Difrancio, Maintenance Manager, AIUK;

Anna Plesniar, Process Development Scientist, AIUK;

Wayne Grimstead, Senior Officer, SE Industry Regulation, NRW;

Rebecca Green, Senior Officer, SE Industry Regulation, NRW, (site regulatory officer).

The purpose of this meeting was to discuss AIUK's progress with actions outstanding from various Compliance Assessment Reports (CARs).

AIUK agreed to turn off the dilution system from 25<sup>th</sup> September 2020. This is the most important action agreed at this meeting, since NRW will not tolerate dilution as a form of treatment and AIUK have been relying on this method for far too long.

Hourly readings will be taken from the in-line AI monitor when there is a discharge to sewer and the daily average will be reported to NRW each day. Any daily averages that exceed the emission limit value (ELV) of 2mg/L should be reported to NRW in the usual way, using a Schedule 5 Notification.

It is unlikely that NRW will approve re-use of the dilution system.

DCWW have been informed of, and agreed to, this action and are likely to take several samples over the following week.

AIUK have been given financial approval to proceed with their plan to prevent the discharge of out of specification effluent to the foul sewer. This will involve extra pipework to divert the discharge from the effluent treatment plant (ETP) and filter press to a holding tank and passing it through a filtration system before discharge to sewer.

Completion date for the physical connections is 24<sup>th</sup> December 2020. Connection to the ETP control systems may take longer as it is likely to be affected by governments' covid control measures.

The completion date for training in the new system is 29<sup>th</sup> January 2021.

Once both actions have been completed to NRW's satisfaction, Actions E4, 2 and 4 from CAR\_NRW0036841 can be closed.

**CAR\_NRW0036872, Actions B5 and 1**

The problems with the filter press were found to be due to the decantation (settlement) tank, which required cleaning. This was carried out on 26<sup>th</sup>/27<sup>th</sup> September 2020.

Maintenance procedures for the cloths and frames in the filter press were received on 25<sup>th</sup> September 2020.

**Actions B5 and 1 have been completed and are now closed.**

**CAR\_NRW0036904**

The problem of airlocks in the sampling line for the AI monitor remains. It is likely to be due to the location of the sampling line and low flows in discharges to sewer. This will be remedied when the MCERTS meter is installed and the AI monitor re-located. This is scheduled to be completed on 24<sup>th</sup> December 2020.

In the meantime AIUK will try to develop a means of ensuring that the sampling line is always submerged in a suitable volume of liquid so that air ingress is prevented.

**Action 1: An interim plan to be discussed with NRW on or before 30<sup>th</sup> October 2020.**

**Actions G1, E4, 1 and 2 from CAR\_NRW0036904 have been superseded by Action G1 in this CAR and the due date is now 24<sup>th</sup> December 2020.**

It is likely that the ELV breach mentioned in CAR\_NRW0036904 was due to the settlement tank needing to be cleaned. **This was done and so Action 2 in CAR\_NRW 0036904 can be closed.**

NRW would like to thank AIUK for inviting them to this meeting and appreciate the time, effort and capital expenditure that they are investing in solving these problems.

**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](mailto: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](mailto: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.