

Compliance Assessment Report CAR_NRW0037912

Permit being assessed: BM2381IQ.

For: Llanelli Tin Recovery Works , held by AMG Resources Ltd

At: NEVILL'S DOCK , LLANELLI, LLANELLI, DYFED, SA15 2HD.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 28/04/2021.

Parts of permit assessed: Please see details

NRW Lead Officer: Ieuan Davies.

Report sent to: Paul Tobin, UK Works Manager on 29/04/2021.

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	3.5.1
E1 - Emissions - Air	Assessed (A)	
E5 - Emissions - Waste	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
1	4

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	Ensure groundwater monitoring is compliant as per environmental permit.	31/05/2021

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

Annual Return Submissions 2020

AMG Resources Ltd is required to submit annual reports in accordance with section 4.2.2 of its

environmental permit.

4.2.2 A report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year. The report(s) shall include as a minimum:

- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;
- (b) the annual production /treatment data set out in schedule 4 table S4.2; and
- (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.

Emissions to air

A2 and A3 are process stacks associated with the tin melting operation, but AMG has not generated steam from its boiler since April 2015 and therefore air emissions since 2016 have

been reported as nil.

Groundwater monitoring

Permit BM2318IQ groundwater monitoring requirements are as follows:

Table S3.5 groundwater monitoring requirements

Location or description of point of measurement	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
G1, G2, G3, G4, G5, G6, G7	Depth to groundwater (m)	6 monthly	-	-
	Groundwater level (m AOD)	6 monthly	-	-
	Temperature °C	6 monthly	-	-
	pH	6 monthly	-	-
	Conductivity at 20°C µS Cm ⁻¹	6 monthly	-	-
	Suspended Solids (mg/l)	6 monthly	-	-
	Ammoniacal Nitrogen (mg/l)	6 monthly	-	-
	Nitrite (mg/l)	6 monthly	-	-
	Total Oxidised Nitrogen (TON) (mg/l)	6 monthly	-	-
	Chloride	6 monthly	-	-
	Aluminium and its compounds (as Al)	6 monthly	-	-
	Arsenic and its compound (as As)	6 monthly	-	-
	Boron and its compound (as B)	6 monthly	-	-
	Cadmium and its compounds, expressed as cadmium (Total Cd)	6 monthly	-	-
	Chromium and its compounds (as Cr)	6 monthly	-	-

Table S3.5 groundwater monitoring requirements				
Location or description of point of measurement	Parameter	Monitoring frequency	Monitoring standard or method	Other specifications
	Copper and its compounds (as Cu)	6 monthly	-	-
	Iron and its compounds (as Fe)	6 monthly	-	-
	Lead and its compounds (as Pb)	6 monthly	-	-
	Manganese and its compounds (as Mn)	6 monthly	-	-
	Mercury and its compounds (as Hg)	6 monthly	-	-
	Nickel and its compounds (as Ni)	6 monthly	-	-
	Selenium and its compounds (as Se)	6 monthly	-	-
	Sodium and its compounds (as Na)	6 monthly	-	-
	Tin and its compounds (as Sn)	6 monthly	-	-
	Zinc and its compounds (as Zn)	6 monthly	-	-
	Total Hydrocarbon oil	6 monthly	-	-

AMG Resources Ltd are required to undertake 6 monthly monitoring of 7 groundwater points with results reported to NRW annually. AMG Resources Ltd permit (EPR/BM2318IQ) does not state Emission Limit Values (ELV) to ensure compliance of the groundwater monitoring, however, permit BM2318IQ does state a number of parameters to monitor (as can be seen above).

AMG Resources Ltd groundwater monitoring schedule for 2020 is as follows:

G1 – sampled in May, August and December 2020.

G2 – not possible to collect samples during 2020 due to surface flooding on one occasion and insufficient groundwater on another occasion.

G3 - Geotechnology understands that sampling from this position is no longer required.

G4 – not possible to sample in 2020 due to below ground blockage.

G5 - sampled in May and December 2020.

G6 – sampled in December 2020 as insufficient water present in May.

The groundwater monitoring results for all monitoring locations (G1-G7) as a result of AMG Resources Ltd permit requirement will form the basis of the current site condition which should support AMG Resources Ltd proposal to Surrender permit BM2318IQ. Where a sample has not successfully been collected, the Inspector would expect AMG Resources Ltd to revisit within the same quarter to fulfil the permit requirements.

AMG Resources Ltd have failed to comply with their groundwater monitoring requirements and as such are not compliant with their environmental permit. A ccs score of 3 has been attributed for the failure to monitor all groundwater water quality points. The Inspector expects AMG Resources Ltd to be fully compliant and monitor all groundwater boreholes on the next round of sampling.

Energy Usage

Annual energy consumption for 2020 has been recorded as 727MWh of electricity. The electricity

consumption for 2019 was recorded as 421.304MWh. AMG have stated this increase in electricity usage is reflective of the changes that have occurred on site.

Waste sent for disposal

AMG have stated that no waste was removed from the installation in 2020.

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.