

Compliance Assessment Report

Report ID:
CAR_NRW0020594

This form will report compliance with your permit as determined by an NRW officer

Site	Bedwas Plant	Permit Ref	BX94551F		
Operator/Permit holder	SAPA Aluminium Extrusion Limited				
Regime	Installations				
Date of assessment	20/05/2016	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	SPMP Round 25 - February 2016				
Lead officer's name	Griffiths, David				
Accompanied by					
Recipient's name/position	Ruth Greening/ HSE Manager	Date issued	23/05/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
C2 - General Management - Management system and operating procedures	A	
E2 - Emissions - Land and groundwater	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

The Geoscience Team have been consulted on the latest round of SPMP monitoring at this site. A review of previous comments indicate that the site has had steady (below environmental quality standards) concentrations of contamination over the last few years with the odd anomaly occurring. We understand that the site has been mothballed and partly decommissioned over the last few years with a minimal operation staff on site. We understand that this may continue, but that it may reopen in the near future – we therefore have made comments on both future uses of the site.

In 2011, BH12 had a passive skimmer installed to collect any free phase product. To date only a minimal amount has been collected and we understand that it has been checked on a monthly bases by onsite personal. Up until this round of monitoring, no free phase had been observed for a few previous rounds. A thickness of 0.3 cm of free phase has been observed in this round, but that the skimmer collection chamber was empty. Please explain the procedure when the onsite staff check the pass skimmer in BH12 – does the depth of the skimmer get corrected each month as the groundwater level changes throughout the year? If the skimmer depth is only moved every six months it is unlikely to collect any product. If the depth of the skimmer is moved every month and it still is not collecting any free phase product it might be worth considering removal of the equipment as it may not be collecting any free product.

Hydrograph of the water levels within BH12 to see the seasonal variations at the site.

We note that groundwater from BHS6 (Sentry) borehole is coloured black brown. This has been happening for the last few monitoring rounds – is there a reason for this colouration, what does it indicate? Is there a problem with the borehole construction? This should be investigated further.

The pH values across the site have been known to drop to very acidic conditions (pH 3 and 4) which have historically allowed metals to precipitate out of the groundwater – I think this was due to issues (i.e. a

leak/spill) in the anodising plant. Following remedial works in this area of the site the pH started to rise and return to more neutral levels. We note that MW2 and MHS6 are recording pH levels marginally below normal – this should be kept under observation as it may indicate a leak or spill following decommissioning of parts of the site.

We note that six monthly monitoring is planned and if the site is to be re-open (even to a lesser amount than when fully operational) then we would agree with maintaining this frequency. However, if the site is to remain mothballed for the foreseeable future then we should consider a reduction in sampling frequency to annually. What are the plans for the site ?

EPR Compliance Assessment Report

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.