

Compliance Assessment Report CAR_NRW0039153

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: Check Monitoring/Sampling, Reason: Routine.

On 07/01/2022.

Parts of permit assessed: 3.5 Monitoring; 4.2.3 Reporting & 4.3.2 Notification

NRW Lead Officer: Rebecca Green.

Report sent to: Shane McDonald, EHS Manager on 11/01/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
E4 - Emissions - Sewer	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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
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?

No action required.

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

AIUK requested a virtual meeting with Natural Resources Wales (NRW) to discuss the reporting and notification procedures given in the permit. The meeting took place on 7th January 2022 and present were -

SM, EHS Manager, AIUK;
AP, Process Development Scientist, AIUK;
TW, Paint Line Manager, AIUK;
AD, Maintenance Manager, AIUK;
Rebecca Green, Senior Officer, Industry Regulation, NRW.

Discharges above the emission limit value (ELV), when detected by the in-line aluminium (Al) monitor, are prevented from being discharged to sewer by the recently installed diversion system. TW questioned the need to submit a Schedule 5 Notification when this happens. Results from the Al monitor are not always accurate, so AIUK cannot be sure that the discharge is above the ELV and similarly, cannot be sure that is below the ELV when the monitor gives a value less than the ELV. The only way, at present, to confirm the concentration is to send a sample for laboratory analysis. Below is an extract from CAR_NRW0038319, issued 25th May 2021, where a suitable procedure was agreed.

"NRW, with AIUK's agreement, propose the following procedure as a more efficient use of both NRW's and AIUK's time and effort. NRW would ask AIUK to formalise this procedure, once agreed, and add it to their Environmental Management System.

Suggested procedure

- 1. On detection of a reading from the in-line Al monitor showing that the Al concentration in the discharge to sewer is higher than the ELV - alert NRW by email, text or phone, whichever is easiest.*
- 2. Sample discharge and send for external analysis following existing AIUK procedures. An ISO17025 accredited laboratory using an approved Al analysis method should be employed.*
- 3. Note any unusual operational matters or remedial actions taken at the time so that these can be added to the Schedule 5 Notification, should it prove necessary to submit one.*
- 4. Send the laboratory results to NRW as soon as they are received, accompanied by a Schedule 5 Notification if the Al concentration is more than the ELV (2mg/L at present)."*

AIUK should also complete a Schedule 5 Notification when they receive results from the regular Welsh Water samples which exceed the ELV.

Various ways of overcoming the difficulties with the Al monitor have been discussed, including installing a composite sampler so that a representative sample could be analysed regularly and/or developing an in-house analytical method which could be used to monitor the discharge, perhaps twice daily. The suppliers of the Al monitor have proposed a new analysis method which acidifies the sample prior to analysis, but this is designed for much lower Al concentrations and would also require modification or replacement of the existing monitor.

Analysis of Al can be a complex problem. The trivalent state is the most common oxidation form and it is known that this can form anionic, cationic and neutral complexes, this may have some bearing on the measurement errors seen when using the Al monitor.

The permit requires AIUK to report the highest weekly average AI concentration on the quarterly report form S1. This was included on the assumption that the AI monitor would be a reliable continuous emission monitoring system; this has not proved to be the case. At present AIUK report the highest of the average of the twice weekly samples sent for laboratory analysis and any results from Welsh Water sampling. Whilst not strictly compliant with the permit conditions, it is the best compromise until a reliable continuous analysis method is established. NRW will accept these results for the quarterly monitoring reports (S1). Please note on the form how the result has been calculated.

A permit variation may be necessary to change the reporting requirements if a suitable continuous monitoring method cannot be found.

NRW understand the efforts that AIUK are making to ensure the results from the AI monitor are more reliable and expect the issue to be resolved.

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.