

Compliance Assessment Report CAR_NRW0039156

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 11/01/2022.

Parts of permit assessed: 3.1.2 Emissions to Sewer

NRW Lead Officer: Rebecca Green.

Report sent to: Shane McDonald, HS&E Manager on 17/01/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B5 - Infrastructure - Plant and equipment	C3 Minor	1.1.1 Planned Preventative Maintenance programme
C1 - General Management - Staff competency/training	Action only (X)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
D2 - Incident Management - Accidents, emergency and incident planning	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)	
A1 - Specified by permit	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
B5	Identify HCl dosing lance as critical equipment. Review and	31/01/2022

Criteria	Action needed	Complete by
	amend planned preventative maintenance programme. Send results to NRW by due date.	
C1	Ensure operators and technicians fully understand the logarithmic nature of the pH scale and the significance of what appear to be small numerical changes.	11/02/2022

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 11th January 2022 AIUK submitted a Schedule 5 Notification to Natural Resources Wales (NRW) informing NRW that AIUK's aluminium (Al) discharge to sewer at 16:02 on 4th January 2022 had exceeded the emission limit value (ELV).

The Al concentration, from laboratory analysis, was 9.5mg/L +/-15%; the ELV is 2.0mg/L. A non-compliance has not been issued for this breach of the ELV because the diversion system was in operation at the time, ensuring that this effluent was not discharged to sewer.

The breach was caused by an equipment failure and AIUK have been issued with a Cat 3 non-compliance.

The lance, dosing hydrochloric acid into the neutralisation reactor, had become blocked, causing the pH to rise from ~7.5 to a maximum of 9.8, affecting the efficiency of the treatment process. It is not clear from the information on the Schedule 5 Notification submitted by AIUK exactly when the blocked lance was discovered.

The in-line Al monitor registered a reading above the ELV at 11:57 and the effluent diversion system was activated. It remained in operation all day. Data from the pH monitoring in the neutralisation tank showed that the pH had risen significantly at 11:57 and continued to remain high all day. A rise of 2 pH units should have alerted AIUK to the unusual circumstances and initiated an immediate investigation. If this had happened a permit breach and considerable inconvenience to AIUK may have been avoided. ***See Action under C1. Completion date 11th February 2022.***

The HCl dosing lance is not included in a programme of planned preventative maintenance (PMP). AIUK appear to rely on alarms to indicate that it may need some attention. Spare parts for the lance are kept on site, which is acknowledged as good practice.

This dosing lance is critical equipment and as such should be on AIUK's critical equipment list and included in their PMP. Its omission is a serious oversight and must be rectified immediately.

See Action under B5. Completion date 31st January 2022.

AIUK are advised to audit the effluent treatment plant to ensure that all critical equipment is listed and included in an appropriate PMP. This should be carried out as a matter of urgency.

NRW plan to audit the maintenance system to verify that it is fit for purpose.

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.