| Cyfoeth Naturiol Cymru Natural Resources Wales | **EPR Compliance Assessment Report** | Report ID: BM3965IA/0248091 |
|---|---|---|

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

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Site | Broughton Aircraft Factory EPR/BM3965IA | | | Permit Ref | BM3965IA | | |
| Operator/ Permit holder | Airbus UK Ltd | | | | | | |
| Date | 01/04/2015 | | | Time in | | Out | |
| What parts of the permit were assessed | Part A and B for breach to sewer | | | | | | |
| Assessment | Report/data review | EPR Activity: | Installation X | Waste Op | | Water Discharge | |
| Recipient's name/position | Claire Powell, Environment Manager | | | | | | |
| Officer's name | Beth Voice | | | Date issued | 21/09/2015 | | |

## Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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** | | | | **Condition(s) breached** |
|---|---|---|---|---|
| **a)** Permitted activities | **1**. Specified by permit | N | | |
| **b)** Infrastructure | **1.** Engineering for prevention & control of pollution | N | | |
| | **2.** Closure & decommissioning | N | | |
| | **3**. Site drainage engineering (clean & foul) | N | | |
| | **4**. Containment of stored materials | N | | |
| | **5**. Plant and equipment | C4 | | 1.1.1 |
| **c)** General management | **1**. Staff competency/ training | N | | |
| | **2**. Management system & operating procedures | N | | |
| | **3**. Materials acceptance | N | | |
| | **4**. Storage handling, labelling, segregation | N | | |
| **d)** Incident management | **1**. Site security | N | | |
| | **2**. Accident, emergency & incident planning | N | | |
| **e)** Emissions | **1.** Air | N | | |
| | **2**. Land & Groundwater | N | | |
| | **3.** Surface water | N | | |
| | **4**. Sewer | C4 | | 3.1.2 |
| | **5**. Waste | N | | |
| **f)** Amenity | **1**. Odour | N | | |
| | **2**. Noise | N | | |
| | **3**. Dust/fibres/particulates | N | | |
| | **4**. Pests, birds & scavengers | N | | |
| | **5**. Deposits on road | N | | |
| **g)** Monitoring and records, maintenance and reporting | **1**. Monitoring of emissions & environment | N | | |
| | **2**. Records of activity, site diary, journal & events | N | | |
| | **3**. Maintenance records | N | | |
| | **4**. Reporting & notification | N | | |
| **h)** Resource efficiency | **1**. Efficient use of raw materials | N | | |
| | **2**. Energy | N | | |

**KEY**: **C1, C2, C3, C4** = CCS breach category **( * suspended scores are marked with an asterisk),**
**A** = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

| **Number of breaches recorded** | 2 | **Total compliance score** (see section 5 for scoring scheme) | 0.2 |
|---|---|---|---|

**If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

**Incident IR/15/01 TE3 elevated chromium discharge to sewer**

On 26/03/15 the total chromium emission limit value to sewer from discharge point TE3 had a marginal breach of 507ug/l versus the limit value of 500ug/l. The Part A notification was submitted on 01/04/2015 (date of detection) and the Part B submitted on the 22/07/15. N.B.The discharge consent to sewer for the water company is 2000ug/l.

The effluent treatment plant is a continuous effluent process with a batch discharge to sewer. The final part of the process consists of a sand filter to remove solids prior to discharge to one of three sentencing tanks. A sample is taken from the tank for internal testing before being discharged if the concentration of total chromium is <375ppb. The internal sample gave a result of 155ppb therefore the tank was discharged, however the sample taken further downstream for Alcontrol and returned 7 days later showed that the concentration was 507ug/l.

An internal investigation has resulted in a number of improvements being made:

a) Initially one sand filter was used and manually flushed. The operator now uses two sand filters in parallel; one is on-line while the other is flushed every 12 hours to prevent carry-over of solids from the sand filters to the sentencing tanks. The system is automated.
b) The sentencing tanks were not fully drained down therefore solids could collect in the base of the tank. The sample taken was not representative of the tank content. Tanks are now fully drained after each discharge.
c) Dual samples are taken to provide a comparison between internal results and those provided by Alcontrol.
d) The relevant procedures have been updated.
e) Tasks have been added onto the PPM system.

**Permit Conditions 1.1.1 and 3.1.2** were breached as follows:

*B5 Plant and equipment*- Inadequate procedures and preventative maintenance of the sand filters and for draining of the tanks.

*E4 breach of emission limit to sewer*

Both non-conformances were scored a CCS4 due to the low level of breach of emission limit value in comparison with the discharge consent to the water company.

**Action**
No actions have been added to the CAR as the site has already completed these through the internal review procedure.

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| Site | Broughton Aircraft Factory EPR/BM3965IA | Permit | BM3965IA |
| Operator/ Permit | Airbus UK Ltd | Date | 01/04/2015 |

| **Section 3- Enforcement Response** | **Only one of the boxes below should be ticked** |
|---|---|
| You must take immediate action to rectify any non-compliance and prevent repetition.<br>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. | |
| In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue. | X |
| We will now consider what enforcement action is appropriate and notify you, referencing this form. | |

**Section 4- Action(s)**

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

| **Criteria Ref.** | **CCS Category** | **Action Required/Advised** | **Due Date** |
|---|---|---|---|
| See Section 1 above | | | |
| B5 | C4 | No action specified as the operator has already carried out an internal investigation with action plan. | N/A |
| E4 | C4 | No action specified as the operator has already carried out an internal investigation with action plan. | N/A |

## 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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 report 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 the officer's line managers. 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.