

## EPR Compliance Assessment Report

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

|                                        |                                      |               |              |             |                   |          |                 |
|----------------------------------------|--------------------------------------|---------------|--------------|-------------|-------------------|----------|-----------------|
| Site                                   | Broughton Aircraft Factory           |               |              | Permit Ref  | BP3937WE/BS4243IF |          |                 |
| Operator/ Permit holder                | Airbus Operations Limited            |               |              |             |                   |          |                 |
| Date                                   | 02/12/2015                           |               |              | Time in     | 13:00             | Out      | 16:00           |
| What parts of the permit were assessed | OMA for air, Part A and B (21/12/15) |               |              |             |                   |          |                 |
| Assessment                             | Audit                                | EPR Activity: | Installation | X           | Waste Op          |          | Water Discharge |
| Recipient's name/position              | Claire Powell                        |               |              |             |                   |          |                 |
| Officer's name                         | Beth Voice                           |               |              | Date issued |                   | 26/01/16 |                 |

### 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 |
|-------------------------------------------------------------|------------------------------------------------------|----|-----------------------|
| <b>a) Permitted activities</b>                              | 1. Specified by permit                               | N  |                       |
| <b>b) Infrastructure</b>                                    | 1. Engineering for prevention & control of pollution | N  |                       |
|                                                             | 2. Closure & decommissioning                         | NA |                       |
|                                                             | 3. Site drainage engineering (clean & foul)          | N  |                       |
|                                                             | 4. Containment of stored materials                   | N  |                       |
|                                                             | 5. Plant and equipment                               | N  |                       |
| <b>c) General management</b>                                | 1. Staff competency/ training                        | N  |                       |
|                                                             | 2. Management system & operating procedures          | C3 | 1.1.1                 |
|                                                             | 3. Materials acceptance                              | N  |                       |
|                                                             | 4. Storage handling, labelling, segregation          | N  |                       |
| <b>d) Incident management</b>                               | 1. Site security                                     | N  |                       |
|                                                             | 2. Accident, emergency & incident planning           | N  |                       |
| <b>e) Emissions</b>                                         | 1. Air                                               | C3 | 3.1.2                 |
|                                                             | 2. Land & Groundwater                                | N  |                       |
|                                                             | 3. Surface water                                     | N  |                       |
|                                                             | 4. Sewer                                             | N  |                       |
|                                                             | 5. Waste                                             | N  |                       |
| <b>f) Amenity</b>                                           | 1. Odour                                             | N  |                       |
|                                                             | 2. Noise                                             | N  |                       |
|                                                             | 3. Dust/fibres/particulates                          | N  |                       |
|                                                             | 4. Pests, birds & scavengers                         | N  |                       |
|                                                             | 5. Deposits on road                                  | N  |                       |
| <b>g) Monitoring and records, maintenance and reporting</b> | 1. Monitoring of emissions & environment             | A  |                       |
|                                                             | 2. Records of activity, site diary, journal & events | N  |                       |
|                                                             | 3. Maintenance records                               | N  |                       |
|                                                             | 4. Reporting & notification                          | A  |                       |
| <b>h) Resource efficiency</b>                               | 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**

|                                    |   |                                                                     |     |
|------------------------------------|---|---------------------------------------------------------------------|-----|
| <b>Number of breaches recorded</b> | 2 | <b>Total compliance score</b><br>(see section 5 for scoring scheme) | 8.0 |
|------------------------------------|---|---------------------------------------------------------------------|-----|

**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.

### Operator Monitoring Assessment

This Compliance Assessment Report accompanies the Operator Monitoring Assessment Reports for discharge to air dated 02/12/15. The operator achieved an overall result of 82%.

OMA 1 - management of monitoring - 80%

OMA 2 - periodic monitoring and test laboratories - 95%

OMA 3 -continuous monitoring - N/A

OMA 4 - quality assurance - 72%.

Further details can be found in the attached Operator Monitoring Assessment report.

The following non-conformances were observed.

#### **Requirement – Permit Section 1.1.1, 3.6 (General Management, Monitoring)**

##### **Finding**

1. Procedure CPR7099 Environmental Monitoring does not include sufficient detail for monitoring to air.
2. The suitability of the monitoring air sample points have not been reviewed by Airbus.
3. Sampling and monitoring procedures are not included in the site internal auditing procedures.

##### **Compliance/Action**

##### **C2 CCS4**

1. Ensure the Environmental Monitoring System (EMS) includes the required detail on monitoring requirements and responsibilities for discharge to air as required by the permit.
2. Airbus are to review the suitability of the emission points against the requirement of Technical Guidance Note M1, especially the diameter and positioning of the sample points.
3. Sampling and monitoring procedures are to be included in the site internal auditing procedures.

## 2015 Annual Monitoring

### **Requirement – Permit Section 3.1.2 (Emission Limit Values)**

#### **Finding**

The annual monitoring of oxides of nitrogen for emission points A1 to A21 was carried out on 27<sup>th</sup> and 28<sup>th</sup> October 2015 by Environmental Compliance Ltd. Breaches were found at points A13 and A14 with results of 527.18mg/m<sup>3</sup> and 661.56mg/m<sup>3</sup> respectively versus the emission limit value of 500mg/m<sup>3</sup>.

The Combined Heat and Power Plants (CHP) are run and maintained by a contracting company. Airbus have used the same contractors since the initial CHP installation in 2002 until the end of March 2015 with a new contractor in April 2015. The same lead engineer has been on site since 2008, however there have also been new engineers since April 2015. It was found that the CHP had been maintained by an inexperienced engineer who was not aware of the emission limit values.

The previous months testing was below the emission limit value at both A13 and A14: emission point A14 measured 430mg/m<sup>3</sup> on 24/09/15 and A13 measured 266mg/m<sup>3</sup> on 12/10/15.

Part A and B reports IR-15-02 and IR-15-03 were submitted 21/12/15.

#### **Compliance**

**E1 CCS3** The 2 breaches were aggregated into one score.

### **Requirement – Permit Section 1.1 (General Management)**

#### **Finding**

The site has ISO14001 and a good Environmental Management System (EMS), however in this instance there has been a failure in the EMS resulting in the breach. The contractor was not aware of the emission limit values to air.

#### **Compliance/Action**

#### **C2 CCS3**

Ensure that appropriate procedures are in the EMS for the operation of the CHP to ensure that the contractors are operating the CHPs as required by the permit.



|                                                                                          |                                         |        |                    |
|------------------------------------------------------------------------------------------|-----------------------------------------|--------|--------------------|
|          | <b>EPR Compliance Assessment Report</b> |        |                    |
| <b>This form will report compliance with your permit as determined by an NRW officer</b> |                                         |        |                    |
| Site                                                                                     | Broughton Aircraft Factory              | Permit | BP3937WE/ BS4243IF |
| Operator/ Permit                                                                         | Airbus Operations Ltd                   | Date   | 02/12/15           |

|                                                                                                                                                                                                                                                                                                                                                 |  |                                                     |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------|---|
| <b>Section 3- Enforcement Response</b>                                                                                                                                                                                                                                                                                                          |  | <b>Only one of the boxes below should be ticked</b> |   |
| 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.                                            |  |                                                     |   |
| 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.                                                                                                                                                                                                                                              |  |                                                     |   |

| <b>Section 4- Action(s)</b>                                                                                                                                                                                              |              |                                                                                                                                                                                                                                                                                                                                                                                   |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 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                                                                                                                                                                                                      |              |                                                                                                                                                                                                                                                                                                                                                                                   |           |
| C2                                                                                                                                                                                                                       | C3           | Ensure the EMS includes required detail on monitoring requirements and responsibilities for discharge to air as required by the permit.<br><br>Sampling and monitoring procedures are to be included in the site internal auditing procedures.<br><br>Ensure that appropriate procedures are in the EMS to ensure suitably competent people are running and maintaining the CHPs. | 31/03/16  |
| E1                                                                                                                                                                                                                       | C3           | No further action                                                                                                                                                                                                                                                                                                                                                                 | No action |
| G1                                                                                                                                                                                                                       | C3           | Review the suitability of the emission points against the requirement of Technical Guidance Note M1, especially the diameter and positioning of the sample points.                                                                                                                                                                                                                | 30/06/16  |

## 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 <b>major</b> environmental effect       | 60    |
| C2           | A non-compliance which could have a <b>significant</b> environmental effect | 31    |
| C3           | A non-compliance which could have a <b>minor</b> environmental effect       | 4     |
| C4           | A non-compliance which has <b>no</b> 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](mailto: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.