

Compliance Assessment Report CAR_NRW0040652

Permit being assessed: NP3030BJ.

For: Enersys Newport , held by Enersys Ltd

At: Enersys Ltd , Stephenson Street , Newport, Newport, NP19 4XJ.

Type of assessment carried out: Audit, Reason: Routine.

On 26/10/2022 between 09:30 and 17:30.

Parts of permit assessed: OMA Audit, Emissions to air, water & sewer

NRW Lead Officer: Rebecca Green, accompanied by Luke Burton, Rob Hester.

Report sent to: Joseph Davies, EHS Advisor - Environmental Lead on 17/11/2022.

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)	
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
E1 - Emissions - Air	Assessed (A)	
E3 - Emissions - Surface water	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

An Operator Monitoring Assessment (OMA) audit was conducted at EnerSys on 26th October 2022 by Natural Resources Wales (NRW).

OMA Audit Timetable

1. Introductions and Audit plan;
2. OMA 1 Management of Monitoring – review responses and audit procedures;
3. OMA 2 Periodic Monitoring – review responses and audit procedures;
4. Inspect emission points and sampling points
 - i. Air – A3, A4, A63 as a minimum;
 - ii. Water – W1 and
 - iii. Sewer – S1.
5. Lunch;
6. OMA 4 Quality Assurance of Monitoring – review responses and audit procedures;
7. RH, LB and RVG discuss findings and agree scores. (This will take about 45 minutes to one hour);
8. Review OMA audit findings and scores with EnerSys personnel;
9. AOB and meeting close.

Present for all or part of the audit -

JB, EHS Manager, EnerSys;
JD, EHS Advisor - Environmental Lead, EnerSys;
KD, EHS Advisor, EnerSys;
DW, Technical Lead/Laboratory Manager, EnerSys;
Rob Hester, Specialist Advisor, Air Quality Modelling & Assessment, NRW;
Luke Burton, Senior Officer Industry Regulation, NRW;
Rebecca Green, Senior Officer Industry Regulation, (Site Officer), NRW.

1. Introductions and OMA audit objectives and format

The objective of an OMA audit is to ensure the monitoring data provided to NRW as part of the permit conditions is accurate and reliable. It is specific to emissions monitoring and covers in-house and contractor measurements. It is prescriptive, following OMA guidance and using current technical guidance for reference.

The audit is mainly desk-based, with some aspects of monitoring inspected in-situ.

2. OMA audit

Three aspects of monitoring were audited. Emissions to air, sampled and analysed by contractors. Emissions to sewer, sampled by EnerSys and analysed by ALS Environmental Limited (ALS). Emissions to water, sampled by EnerSys and analysed by ALS. EnerSys also analyse the water and sewer emissions, but the results reported to NRW are those from ALS. Detailed findings are given in a separate OMA audit report.

4. Brief overview of audit findings

Seven actions and three recommendations were raised as a result of the audit of emissions to air.

Four related to the management of monitoring, one related to periodic monitoring and two relating to quality assurance. Completion dates have not been set. No non-compliances were issued. The overall score was 77%.

Air monitoring is managed quite well. There is a good use of monitoring data to detect process changes. According to the contractors, some of the measurement locations are not strictly compliant with the guidance but it was not possible for NRW to assess them because EnerSys personnel were not familiar with their exact location. Shadowing the air monitoring contractors would be most beneficial.

Seven actions and one recommendation were raised as a result of the audit of discharges to water (sewer and water), four relating to quality assurance, one relating to periodic monitoring and two relating to the management of monitoring. Completion dates have not been set. No non-compliances were issued. The overall score was 65%.

Forms W1 and S1 submitted to NRW do not comply with the permit requirements. EnerSys have been sent copies of the correct forms, with additional notes to help in their completion.

The performance of the autosampler and the service provided by the supplier fall far short of normal expectations. **NRW strongly recommend that EnerSys replace this unit as soon as possible.**

This audit has revealed some areas common to both air and water monitoring that could be improved.

Procedures governing monitoring are adequate, but would benefit from more detail and cross-referencing between procedures and operating instructions.

EnerSys personnel do not have a clear understanding of the monitoring and reporting requirements given in the permit. This means that the monitoring methods for air and water have not been cross-checked with those specified in the permit and so incorrect methods are referenced on some reporting forms. Suitable training in both air and water/sewer monitoring would improve the situation.

There is no auditing of monitoring. This is an important shortcoming and must be rectified as soon as possible.

In summary, NRW can be reasonably confident that the air and water monitoring results reported to them by EnerSys are reliable. Improvements in the sampling and transportation of water samples and the reporting of water monitoring results would further increase NRW's confidence in those results.

NRW would like to thank EnerSys for the time and resources committed to this OMA, both in preparation and on the day.

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.