

Compliance Assessment Report CAR_NRW0041365

Permit being assessed: BR8212IK.

For: Pont-y-Felin EPR/BR8212IK, held by Knauf Insulation Ltd

At: Pont-y-Felin, Cwmbran, Torfaen, NP44 2YQ.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 31/12/2022.

Parts of permit assessed: Monitoring and reporting requirements

NRW Lead Officer: Luke Burton.

Report sent to: Warren Christy, HSE & Systems Manager Cwmbran on 22/03/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor	3.1.2

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
G1	Operator to improve monitoring calibration and verification processes and continue to monitor emissions and report emission limit breaches in line with environmental permit. Action deadline: On-going.	Already completed

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

This Compliance Assessment Report (CAR) has been produced in response to the submission of annual performance report(s) and 6 monthly reporting required by the following environmental permit conditions.

Condition 4.2.2 of the environmental permit states:

A report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year. The report(s) shall include as a minimum:

- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;
- (b) the performance parameters set out in schedule 4 table S4.2 using the forms specified in table S4.3 of that schedule.

Condition 4.2.3 of the environmental permit states:

Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by Natural Resources Wales, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

- (a) in respect of the parameters and emission points specified in schedule 4 table S4.1;
- (b) for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table [S4.3] ; and
- (c) giving the information from such results and assessments as may be required by the forms specified in those tables.

Table S4.1 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.1 Reporting of monitoring data

Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Emissions to air Parameters as required by condition 3.3.1.	A0, A1, A3 & A4	Every 6 months	1 January
Emissions to water Parameters as required by condition 3.3.1.	W1	Every 6 months	1 January

Table S4.2 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.2 Performance parameters

Parameter	Frequency of assessment	Units
Mass release of oxides of sulphur	Annually	Kg SO ₂
Bypass stack usage	Annually	Hrs/yr

Table S4.3 of Schedule 4 to the environmental permit is partially reproduced below.

Table S4.3 Reporting forms

Media/parameter	Reporting format	Date of form
Air (until 7 th March 2016)	Form air 1 or other form as agreed in writing by Natural Resources Wales	31/07/15
Air (from 8 th March 2016)	Form air 2 or other form as agreed in writing by Natural Resources Wales	31/07/15
Water (until 7 th March 2016)	Form water 1 or other form as agreed in writing by Natural Resources Wales	31/07/15
Water (from 8 th March 2016)	Form water 2 or other form as agreed in writing by Natural Resources Wales	31/07/15
Performance indicators	Form performance 1 or other form as agreed in writing by Natural Resources Wales	31/07/15
Waste	Form performance waste 1 or other form as agreed in writing by Natural Resources Wales	31/07/15

Report(s) for condition 4.2.2 were submitted via email on 03/02/23

The report(s) submission was made inside the reporting window (extended date agreed in writing by Natural Resources Wales) which represents compliance the environmental permit.

The report(s) submitted include the parameters specified in schedule 4 table S4.2 and S4.3 which represents compliance with the environmental permit.

The report(s) submitted are for the reporting periods specified in schedule 4 table S4.2 and S4.3 which represents compliance with the environmental permit.

The report(s) have been submitted using the forms specified in schedule 4 table S4.4 which represents compliance with the environmental permit.

The monitoring report(s) submitted include include an interpretive review and assessment as required by condition 4.2.2 (a) which represents compliance with the environmental permit.

Reported emissions to air for 2022 for emission points A0, A1, and A3 were all within permitted limits which represents compliance with the environmental permit. NB Emission point A4 is no longer in use.

The site's continuous emission monitor was available for 95% of the year which represents compliance with MCERTS requirements.

In 2022 one breach of the emissions limits specified within Table S3.1 occurred - Oxides of Nitrogen (Expressed as NO₂) from emission point A1 – Exceeding emission limit by 20 mg/m³ for a total of 24-hours. The root cause of the exceedance was identified, and measures are in place to stop or limit future exceedances (ref CAR_NRW0040179).

Reported emissions to surface water for 2022 for emission point W1 were all within permitted limits which represents compliance with the environmental permit.

The by-pass stack was operated on 3 occasions for a total of 336 hours for the purpose of

installations, repairs, and maintenance. Natural Resources Wales were notified of and authorised its intended use prior to each operation which represents compliance with the environmental permit.

Report(s) for condition 4.2.3 were submitted via email on 03/02/23

The report(s) submission was made inside the reporting window (extended date agreed in writing by Natural Resources Wales) which represents compliance with the environmental permit.

The report(s) submitted include include the parameters specified in schedule 4 table S4.2 and S4.3 which represents compliance with the environmental permit.

The report(s) submitted are for the reporting periods specified in schedule 4 table S4.2 and S4.3 which represents compliance with the environmental permit.

The report(s) have been submitted using the forms specified in schedule 4 table S4.4 which represents compliance with the environmental permit.

The monitoring report(s) submitted include include results and assessments as required by condition 4.2.2 (a) and schedule 4 table S4.2 and S4.3, which represents compliance with the environmental permit.

For the period from 01/07/2022 to 31/12/2022 for emission points A0, A1, and A3 there was one breach of permitted limit in that between 16/11/23 and 17/11/23 the limit for carbon monoxide was exceeded by 61 mg/m^3 . Root cause investigations have determined the exceedance to be attributed to faulty extractive sampling techniques. Future re-occurrence will be minimised through improved calibration methods and verification processes.

All other reported emissions to air for the period from 01/07/2022 to 31/12/2022 for emission points A0, A1, and A3 were all within permitted limits which represents compliance with the environmental permit. NB emission point A4 is no longer in use.

Reported emissions to surface water for the period from 01/07/2022 to 31/12/2022 for emission point W1 were all within permitted limits which represents compliance with the environmental permit.

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.