

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

Site	Enersys Newport	Permit Ref	NP3030BJ		
Operator/Permit holder	Enersys Ltd				
Regime	Installations				
Date of assessment	20/02/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	4.2.2 Annual Reports 2018				
Lead officer's name	Green, Rebecca				
Accompanied by					
Recipient's name/position	Adam Holbrook/ EHS Manager - EMEA	Date issued	28/02/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
C2 - General Management - Management system and operating procedures	C4	4.2.2
E1 - Emissions - Air	A	
E3 - Emissions - Surface water	A	
E4 - Emissions - Sewer	A	
E5 - Emissions - Waste	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	
H1 - Resource Efficiency - Efficient use of raw materials	A	
H2 - Resource Efficiency - Energy efficiency	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	0.1
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If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Natural Resources Wales (NRW) first received a copy of the annual reports for 2018 on 31st January 2019. The information was submitted on forms from a previous permit variation, some information was incorrect, some was missing and some was not required. EnerSys were emailed copies of the reporting forms from V005 of their permit and asked to complete these forms and re-submit them.

In CAR_NRW0034417 EnerSys were given three actions concerning use of the most recent version of the permit. **Action 1** was to ensure that only the most recent version of the permit would be referred to. The due date for completion was **18th January 2019**. This action has clearly not been completed.

Actions 2 and 4 concerned the EMS and training with due dates of **28th and 1st March 2019** respectively. EnerSys are reminded that failure to meet these dates will result in the issuing of more non-compliances. In view of recent events, **these dates are not negotiable**.

After several corrections and re-submissions, forms A1, Emissions to Air, 1st October to 31st December 2018; W1, Emissions to Water, 1st October to 31st December 2018; S1, Emissions to Sewer, 1st October to 31st December 2018; P11, Performance Indicators for 2018; E1, Energy Usage for 2018; R1, Waste Disposal and Recovery for 2018 and WU1, Water Usage for 2018, were received on 20th February 2019. All the reports are accepted.

A1, Emissions to Air, 1st October to 31st December 2018

There was one breach of the emission limit value (ELV) for emissions of lead (Pb) to air from emission point A2 this quarter. It occurred on the 4th December and was measured as 2.41mg/m³; the ELV is 1.0mg/m³. A Schedule 5 Notification was received late and so non-compliances were issued for late submission and for the breach of the ELV.

Results from all the other emission points were less than their respective ELVs.

W1, Emissions to Water, 1st October to 31st December 2018

There was one breach of the ELV for emissions of Pb to water on 28th November 2018. The measured concentration was 2.32mg/L; the ELV is 2.0mg/L. This sample may have been accidentally contaminated. The Schedule 5 Notification was received almost two months after the event and so a non-compliance was issued.

All other results were less than the ELV.

S1, Emissions to Sewer, 1st October to 31st December 2018

All parameters were within their respective ELVs.

Production increased 6% in 2018 compared with 2017.

E1, Energy Usage, 2018

Energy use per tonne of production decreased by almost 3% in 2018 and CO₂ generation was almost 20% less in the same period. CO₂ generation has fallen every year since 2015, an encouraging trend.

WU1, Water Usage, 2018

Water usage increased by more than 20% compared with 2017, after showing a year on year reduction since 2011.

R1, Waste Disposal and Recovery, 2018

The total hazardous waste generated fell by 6%, with that being sent for recovery falling by 9% and the amount sent for disposal increasing by more than 45%. Non-hazardous waste generation was almost 5% less than in 2017; 15% more was recycled and some wood had to be sent for disposal. Total waste generated fell by 6%, total waste recovered fell by 9% and the amount of total waste sent for disposal increased by more than 40%.

PI1, Performance Indicators, 2018

The water use, waste indicators and energy use performance are discussed above under the relevant items. The mass release of lead was more than 45% higher than in 2017. No satisfactory explanation has been received by NRW.

The increases in water usage and the amount of waste sent for disposal are disappointing.

There has been a significant increase in the mass release of Pb in 2018 and EnerSys should investigate the causes and try to apply effective remedial action.

END.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034744**

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Site	Energys Newport	Permit Ref	NP3030BJ
Operator/Permit holder	Energys Ltd	Date	20/02/2019

Section 3 – Enforcement Response

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.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C2	C4	Ensure that previous versions of the permit are archived and more difficult to access than the current permit.	01/03/2019

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 verbally or 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 that 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 fulfil 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 (eg. 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 its service
- Freedom of Information Act/Environmental 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 fifteen 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 officer's line managers using the informal appeals procedure. 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.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.