

## Compliance Assessment Report CAR\_NRW0043121

**Permit being assessed:** BW9999IG.

**For:** Chirk Particleboard Factory, **held by:** Kronospan Ltd

**At:** Chirk Particleboard Holyhead Road , Chirk, Wrexham, Clwyd, LL14 5NT.

**Type of assessment:** Report/Data Review,

**Reason:** Routine.

**On:** 05/01/2024.

**Parts of permit assessed:** Improvement Conditions NRW IC36, 37, 38, 39, 49 and 55..

**NRW Lead Officer:** Ian Oakes.

**Report sent to:** Chris Emery, Director, on 05/01/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2E - Operations - Improvement programme	C3 Minor	IC 49, Condition 2.4.1 The operator shall complete the improvements specified in schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by Natural Resources Wales.

Result types are explained in more detail in the 'Important Information' section below.

Total 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
IR2E	Kronospan is required to resubmit IC49 response to consider potential surrogate measures of filtration unit performance with any proposed timescales for implementation (future	29/03/2024

Criteria	Action needed	Complete by
	strategy) included for consideration by 29 March 2024.	

Compliance 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.

**You are non-compliant with your permit.**

**At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.**

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

**Improvement Conditions NRW IC36, 37, 38, 39, 49 and 55**

These submissions / resubmissions have been reviewed and are considered complete (and may be subject to audit).

1. NRW IC36: *"The operator shall submit a written plan to implement the soil and groundwater monitoring requirements referenced in Condition 3.2.4. The monitoring plan shall demonstrate how the operator will meet the requirements of Articles 14(1)(b), 14(1)(e) and 16(2) of the IED. The monitoring plan shall be implemented in accordance with the written approval from Natural Resources Wales."*

This was a resubmitted document 784-A054750-R01 - Monitoring Plan (Soils and Groundwater) Rev.2, Dated 8 September 2023, updated with due consideration of the textual requirements highlighted in CAR\_NRW0042192.

This has been reviewed and is considered complete (may be subject to audit).

2. NRW IC37: *"The K7 emission limit values in Table S3.3 do not come into effect until 1<sup>st</sup> January 2024. The Operator shall investigate the likely cause of high CO releases from K7 Biomass Boiler and submit a written report identifying the key causes and outlining proposals to reduce the CO release from K7 Biomass Plant, with associated timescales for implementation in order to meet emission limit values in Table S3.3 in accordance with Local Authority Process Guidance Note 1/03 (12) "Statutory Guidance for Boilers and Furnaces 20 – 50MW thermal input".*

This submission will be reviewed as part of the determination of Best Available Techniques (BATc) Conclusions reference document for waste incineration (Industrial Emissions Directive 2010/75/EU 2019), which is currently with NRW permitting.

3. NRW IC38: *"The Operator shall update and submit the written Dust Management Plan*

*describing the operating techniques employed. The dust management plan shall be structured in line with Environment Agency Emissions Management Plan for Dust online guidance and shall also address the delivery of all relevant Production of Wood-based Panels BAT Conclusions.*

*The written report will be incorporated into Table S1.2 of this permit as existing operating techniques."*

This was a resubmitted document S2376-0270-0018RSF Dust Management Plan 784-A054750-R01, Dated 30 November 2023 (and Appendix B Kronospan Dust Register) and is an extensive revision required by CAR\_NRW0042239.

This has been reviewed and is considered complete (may be subject to audit) on the basis that stockpile geometry and separation distances have only been considered from a dust management perspective. The Fire Prevention and Mitigation Plans e.g. ICs 44 - 47 may superimpose additional requirements and thus are being considered separately reference CAR\_NRW0042871.

4. NRW IC39: *"The Operator shall update and submit the written Odour Management Plan describing the operating techniques employed. The odour management plan shall be structured in line with "How to Comply with Your Environmental Permit: H4 Odour Management" and shall also address the delivery of all relevant Production of Wood-based Panels BAT Conclusions. The written report will be incorporated into Table S1.2 of this permit as existing operating techniques."*

This was a resubmitted document S2376-0270-0003HKL Kronospan Odour Management Plan\_R4, Dated 22 December 2023 (and Appendix D Kronospan Odour Register) and is an extensive revision required by CAR\_NRW0042520.

This has been reviewed and is considered complete (may be subject to audit).

5. NRW IC49: *"The Operator shall investigate potential technical solutions with regard to monitoring and control of dust filtration units B01-B31."*

The submission though adequately describing the general unsuitability of particulate emissions monitoring due to geometrical constraints it does not consider alternative techniques. Surrogate measures such as differential pressure (across the filtration media) could potentially be used as a measure of filtration unit performance (e. g. optimum range, by-passing, blinding, blockages).

It is considered that the operator has failed to investigate all potential technical solutions with regard to monitoring and control of dust filtration units and therefore the requirements of the improvement condition have not been met. This attracts a non-compliance score of C3.

Action: Kronospan is required to resubmit the IC49 response to consider potential surrogate measures of filtration unit performance with any proposed timescales for implementation (future strategy) included for consideration by 29 March 2024.

6. NRW IC55: *"The operator shall submit to NRW a written report on the commissioning of WESP 32 and shall report in accordance with the approved commissioning plan."*

- *The environmental performance of WESP 32 and review against the conditions in the permit*
- *Any operating techniques or procedures developed and adopted during the commissioning of WESP 32 for achieving and demonstrating compliance; and*
- *Any operating techniques and procedures and procedures relating to the shutdown of WESP 32 and the implications for press abatement, resin and paper impregnation plants. All relevant documents to be updated where necessary.*
- *In the event that A5 and A6 have to be re-commissioned, quarterly monitoring would be required to start on resumption of use of these emission points.*

*The report shall also outline any improvements and / or modifications identified as part of the commissioning and any timetable for their implementation."*

This has been reviewed and is considered complete (may be subject to audit).

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.

**If your assessment result in Section 1 is suspended, what does this mean?**

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 compliance criteria (used in section 1 and 2):**

**1. Management**

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

**2. Operations**

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

**3. Emission and Monitoring**

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

**4. Information**

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

**Enforcement response**

Any non-compliance with a permit condition 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 twenty 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 to 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto: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](mailto: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.