

Compliance Assessment Report CAR_NRW0043152

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: 15/01/2024.

Parts of permit assessed: Improvement Conditions NRW ICs 41, 42 and Schedule 5 Notification Part A/B Damage to Kronoplus blow line..

NRW Lead Officer: Ian Oakes.

Report sent to: Chris Emery, Director, on 16/01/2024.

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 41, 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.
IR1A - Management - General management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
2	8

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	Revise IC41 to be consistent with IC38 - 40 as applicable and appropriate (including any recent changes) by 29 March 2024.	29/03/2024
IR1A	Update procedures to improve inspection of blow lines to prevent recurrence by 1 March 2024.	01/03/2024

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 41, 42 and Notification Part A/B Kronoplus blow line.

1. NRW IC41: *"The Operator shall submit a written Emissions Management Plan. The emissions management plan shall address the emissions of substances not controlled by emission limits (excluding odour, noise and dust which are covered by separate management plans). The plan shall describe the operating techniques employed. It 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."*

IC41 Emissions Management Plan is the 'companion piece' to IC38 Dust Management Plan, IC39 Odour Management Plan and IC40 Noise Management Plan acting as it does to cover any potential emissions not controlled by emission limits and not specifically covered by ICs 38 - 40. These include the leakage / spillage of certain liquids, evaporating vapours and gases etc., and would also pick up any issues relating to vermin, mud and litter.

ICs 38, 39 and 40 have undergone significant revisions subject to CAR_NRW0042239, CAR_NRW0042520 and CAR_NRW0042050 respectively and as the four management plans have followed the same format / template it is clear that IC41 needs to benefit from a similar significant revision as applicable and appropriate. For example, permit conditions / operating techniques and relevant Best Available Techniques (BAT) Conclusions requirements etc.

Action: Revise IC41 to be consistent with IC38 - 40 as applicable and appropriate (including any recent changes) by 29 March 2024.

2. NRW IC42: *"The Operator shall carry out a BAT assessment of water usage, paying attention to the potential for minimising potable water use and effluent flow, through optimisation of recycling and the considerations outlined in improvement conditions 4 and 17 of this document. The assessment shall identify the areas where water usage can be minimised through improved management and process control, or supplemented with recycled water (e.g. operation of the lagoons, or the resin plant). The assessment shall also include a single sheet schematic detailing an overall plant water balance, which shall include normal and design flowrates. A summary of the assessment shall be sent to Natural Resources Wales in writing together with a timetable to implement any necessary changes identified."*

NRW decided to vary the original consolidated permit (BW9999IG V008 subject to the Wood - Based Panels Best Available Techniques (BAT) Reference Documents (BRef)) following the publication of the revised Best Available Techniques (BAT) Reference Documents (BRef) for Large Volume Organic Chemicals (LVOC) and Common Waste Water and Waste Gas Treatment / Management Systems in the Chemical Sector (CWW) and the consolidated permit BW9999IG V009 was re - issued 16 May 2023. Variation V009 introduced NRW ICs 50 - 53 a comprehensive set of surface water improvement conditions with a wide remit.

Submitted 4 July 2023 IC42 Water usage and associated issues (superseding IC4 and IC17) was reviewed against the Wood - Based Panels BRef only, primarily focusing on water usage but does overlap significantly with the requirements of the wider ICs 50 - 53. Rather than determine IC42 in isolation or re - scope it has been decided best to review alongside ICs 50 - 53, which have yet to be submitted but imminent.

3. Kronospan Schedule 5 Notifications to NRW:

A Schedule 5 Notification Part A was received by NRW on 02/01/2024 relating to the mechanical damage and subsequent failure of the Kronoplus extraction blow line near the corner of the Formaldehyde Plant, which was detected at 01:15 on 02/01/2024. Wood dust from the cutting of panel boards was released as the blow line flange came apart. The release was identified at the time and the process stopped immediately and the area dampened down and cleaned up. No incident reports were received.

A Schedule 5 Notification Part B was received by NRW on 09/01/2024, containing more accurate information:

"Wood dust from the cutting of panel boards, best estimate of loss 6 - 8 tonnes. The blowline was last utilised on 6th December 2023. When switching over to utilise the blowline, it became apparent that there has been an impact incident at some point between uses. No incident had been reported and as such the Operators were unaware that the blowline was damaged.

From the location of the blowline we believe it most likely that a Logyard vehicle / logs had

impacted with the blowline. Unfortunately this area is not covered by CCTV to verify what had previously happened. The Logyard drivers have been questioned and none claim to be aware of any incident in the area that would have caused damage to the blowline. It is clear that an impact has occurred as the bolts holding the flange together were found to be sheared, leaving an opening for dust to be emitted."

Measures taken to prevent a recurrence of the incident:

"The area the blowline runs through is not utilised for log storage under normal operations and further use of this area will be prohibited under any circumstance. Reporting of damages immediately to prevent future issues – a site bulletin has been issued to all employees stating the importance of reporting damage, utilising this incident as an example."

Compliance:

Failure to minimise the risk of pollution (release of dust due to damaged Kronoplus extraction blow line) is considered to be a breach of condition 1.1.1 with respect to operations and internal incident reporting (in particular) and attracts a non-compliance score of C3.

1.1.1 The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints: and (b) using sufficient competent persons and resources.

Action:

Update procedures to improve inspection of blow lines to prevent recurrence by 1 March 2024.

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 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.