

Compliance Assessment Report CAR_NRW0043325

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: 31/12/2023.

Parts of permit assessed: 2023 Q4 Monitoring Returns, Annual Reporting and Schedule 5 Notifications..

NRW Lead Officer: Ian Oakes.

Report sent to: Chris Emery, Director, on 12/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1 Emissions to air, 3.1.2 The limits given in schedule 3 shall not be exceeded.
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IR4B - Information - Reporting	Assessed (A)	
IR4C - Information - Notification	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
3	12

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
IR3A	Confirm that procedures have been updated by 1 March 24.	01/03/2024
IR3A	Undertake further CEN/TS 17638:2021 formaldehyde monitoring (scope to be agreed) of MDF1 & 2 to better quantify the emissions and submit the findings to NRW with options and timescales to comply by 30 April 24.	30/04/2024
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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

2023 Q4 Monitoring Returns, Annual Reporting and Schedule 5 Notifications

1. Annual monitoring and reporting requirements reference permits BW9999IG V008 issued 4 October 2022, V009 issued 16 May 2023 and V010 issued 15 September 2023 (as applicable).

For all emission points and parameters required by condition 3 Emissions and monitoring 3.1 Emissions to water, air or land 3.1.1 - 3.1.4 (and schedule 3), condition 3.6 Monitoring 3.6.1 and 3.6.5 (and schedule 3) and 4.2 Reporting 4.2.1 - 4.2.6 (and schedule 4).

2. Q4 2023 The monitoring results were within the the emission limit values specified in the permit with the exception of the three emission limit value (ELV) exceedances below of condition
'3.1 Emissions to water, air or land, 3.1.2 The limits given in schedule 3 shall not be exceeded.'

2.1 'Schedule 3, Table S3.3 Point source emissions to air - Biomass boiler emission limits and monitoring requirements, (Metals) Antimony, Arsenic, lead, Chromium, Cobalt, Copper,

Manganese, Nickel & Vanadium and their compounds (total)' emission limit value (ELV).

A Schedule 5 Notification was submitted by Kronospan.

- **22 November 2023 A27 K8 Biomass Boiler - Total metals.** Extractive test result 1.20 versus 0.5 mg/m³ ELV due to dosing with lime that had been supplied without the inclusion of activated carbon, and attracts a non - compliance score of C3.

Schedule 5 Notification: *'Investigations show that although the lime dosing system was operational the lime being used had been supplied without the addition of activated carbon. The lime dosing was then carried out at usual rates but the result was less efficient scrubbing of the metals in the gas stream that could not be detected until extractive testing was completed.'*

Confirmed with the supplier that activated carbon is being added to the supplied abatement materials to Kronospan. Documentation now reviewed by Boiler Operator (instead of Weighbridge Operator) prior to offload to ensure correct composition of dry sorbent.'

Action 1: Confirm that procedures have been updated by 1 March 24.

2.2 'Schedule 3, Table S3.4 Point source emissions to air - Board manufacturing emission limits and monitoring requirements, Formaldehyde' emission limit value (ELV).

A Schedule 5 Notification was submitted by Kronospan.

- **21 - 22 Nov 23 A30 MDF1, 2 cyclones - Formaldehyde.** Extractive test results Cyclone 1 -16.3, Cyclone 2 - 19.5, average 17.9 versus 15 mg/m³ ELV. The exceedance (taken as the average) attracts a non - compliance score of C3.
- **22 - 24 Nov 23 A29 MDF2, 4 cyclones - Formaldehyde.** Extractive test results Cyclone 1 - 21.0, Cyclone 2 - 30.5, Cyclone 3 - 13.7, Cyclone 4 - 17.2, average 20.6 versus 15 mg/m³ ELV. The exceedance (taken as the average) attracts a non - compliance score of C3.

The change in monitoring method to the CEN/TS 17638:2021 standard was written into the permit BW9999IG V008 issued 4 October 2022 with a 9 month grace period ending 30 June 2023.

After that date all formaldehyde monitoring to air is to use the most recent standard, and is considered more accurate. In being more accurate it was expected that the results may likely be higher than the results from the former standard CEN/TS 13649:2014.

The increase in the results have been more marked in Q4 for MDF1 & 2 and non - compliant. This requires further investigation and explanation as Q3 had no exceedances. The scope of further work will need to be agreed.

Action 2: Undertake further CEN/TS 17638:2021 formaldehyde monitoring (scope to be agreed) of MDF1 & 2 to better quantify the emissions and submit the findings to NRW with options and timescales to comply by 30 April 24.

3. Annual report as required by condition '4.2.2 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 annual production/treatment data set set out in schedule 4 table S4.2;

(c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule; and

(d) the functioning and monitoring of the K8 Biomass Boiler in a format agreed with Natural Resources Wales. The report shall, as a minimum requirement (as required by Chapter IV of the Industrial Emissions Directive) give an account of the running of the process and the emissions into air and water compared with the emissions standards in the IED.'

There is a minor omission in section 2.1.2 of the breach of Hydrogen Chloride (daily average) in April 2023 (18.4 vs 15 mg/m³ ELV reference CAR_NRW0042228).

Action 3: Update and resubmit Annual Report 2023 by 1 March.

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.