

## Compliance Assessment Report CAR\_NRW0043669

**Permit being assessed:** NP3030BJ.

**For:** Enersys Newport , **held by:** Enersys Ltd

**At:** Enersys Ltd , Stephenson Street , Newport, Newport, NP19 4XJ.

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

**Reason:** Routine.

**On:** 29/02/2024.

**Parts of permit assessed:** 4.2.2 (a) Annual Environmental Review 2023.

**NRW Lead Officer:** Rebecca Green.

**Report sent to:** Kate Davies, Environmental Lead, on 01/03/2024.

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

| Part of permitted activity assessed (compliance criteria)                                   | Assessment result | Permit condition |
|---|-------------------|------------------|
| IR1A - Management - General management  | Assessed (A)      |                  |
| IR1C - Management - Energy Efficiency   | Assessed (A)      |                  |
| IR1D - Management - Efficient use of raw materials  | Assessed (A)      |                  |
| IR1E - Management - Avoidance, recovery and disposal of wastes produced by the activities   | Assessed (A)      |                  |
| IR3A - Emissions and monitoring - Emissions to water, air or land                           | Assessed (A)      |                  |
| IR3E - Emissions and monitoring - Monitoring  | Assessed (A)      |                  |
| IR3B - Emissions and monitoring - Emissions of substances not controlled by emission limits | Assessed (A)      |                  |
| IR4B - Information - Reporting  | Assessed (A)      |                  |

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

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 0                              | 0                          |

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?

No action required.

## 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

The Annual Environmental Review for 2023 was received on 29<sup>th</sup> February 2024.  
The report is accepted.

All emissions to air, including particulates, were within their respective emission limit values (ELV), except for lead emissions from emission point A2 in June 2023. The emission was very close to the ELV. EnerSys took prompt action to investigate the cause and implement corrective actions. No non-compliance was issued because there was minimal risk to the environment or human health. Average fugitive emissions were less than the Statutory Air Quality Standard,  $0.25\mu\text{g}/\text{m}^3$ ;  $0.14\mu\text{g}/\text{m}^3$  at the boundary fence and  $0.02\mu\text{g}/\text{m}^3$  on the canteen roof. The overall average of  $0.07\mu\text{g}/\text{m}^3$  is similar to that in 2022.

All emissions to sewer were within their relevant ELVs. Results from internal testing continue to show good correlation with those from the external laboratory. Flow rates were unusually high in Q4 due to the re-siting of a cooling water discharge pipe. This has now been rectified and flow rates should return to normal in 2024.

All emissions to water were within their respective ELVs. Samples are tested internally and by an external laboratory. A new autosampler was installed in June 2023 to replace an unreliable unit. A service and maintenance contract has also been put in place.

Water usage increased in 2023 due to the cooling water system mentioned above. The system has been modified so that the water is now recirculated, which should help to reduce water consumption in 2024.

The trend for waste generation shows an overall downward trend, but varying production levels can cause increases per unit of production. EnerSys aim to further reduce waste generation.

There was an overall reduction in energy use in 2023, although it increased slightly per unit of production. EnerSys are committed to reducing energy consumption and will be considering the installation of solar panels in 2024. The recent installation of the cold cubing system should help to reduce energy consumption and waste generation.

The mass release of lead increased in 2023, but this may be a result of the calculation method. In 2024 EnerSys plan to monitor the results monthly, identify any higher than usual readings (within the ELV but above "normal") and investigate them.

EnerSys achieved their environmental objectives for FY23. One non-conformity was identified during the audit for ISO14001 compliance, concerning the impartiality of internal auditors. This has been rectified by training more internal auditors and will be verified during the next ISO audit. Their ISO14001 accreditation has been maintained.

A new Environmental Lead has been appointed following an internal promotion and is being supported by the European and Global EHS managers. Suitable IEMA training has also been provided.

Following the formation of a global sustainability team, EnerSys Newport will have local sustainability related objectives for 2024.

EnerSys continue to take their environmental responsibilities seriously, as demonstrated by their recent and planned capital investments. They have become much more proactive, investigating unusual incidences before they become permit breaches and without prompting from NRW. The company's continued commitment to efficient use of resources and minimising waste generation is an example of industry best practice.

**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.

**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.