

## Compliance Assessment Report CAR\_NRW0043969

**Licence being assessed:** WA/067/0005/015.

For: Sand & gravels at Chirk, Wrexham-evaporative cooling, held by Kronospan Ltd.

At: Chirk, Wrexham, Wrexham, LL14 5HW.

**Type of assessment:** Site Inspection, Reason: Routine.

On 21/03/2024, between 12:00 and 13:30.

Parts of licence assessed: 6 - maximum quantities. 7 - means of measurement. 8 - Records. 9 - Further conditions.

**NRW Lead Officer:** Philip Barrett, accompanied by Victoria Griffin, Julian Whitehead.

**Report sent to:** Chelsey Barker, Contact for licence holder (Kronospan Ltd), on 17/04/2024.

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

Part of licenced activity assessed (criteria)	Assessment result	Licence condition
WR-B3 - Water Abstraction - Abstraction measurement and records - Reporting	Action only (X)	
WR-B3 - Water Abstraction - Abstraction measurement and records - Reporting	Action only (X)	
WR-B1 - Water Abstraction - Abstraction measurement and records - Means of measurement	Action only (X)	
WR-H1 - Water Abstraction - Borehole infrastructure - Infrastructure and accessibility	Action only (X)	

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

### 2. What action is required?

Criteria	Action needed	Complete by
WR-B3	Submit the annual record of the weekly level readings to <a href="mailto:nrp.northmid@cyfoethnaturiolcymru.gov.uk">nrp.northmid@cyfoethnaturiolcymru.gov.uk</a> within 28 days after the 1st March each year.	28/04/2024
WR-B3	Provide the annual weekly level data for the period 1st April 2023 - 31st March 2024 to <a href="mailto:nrp.northmid@cyfoethnaturiolcymru.gov.uk">nrp.northmid@cyfoethnaturiolcymru.gov.uk</a>	01/06/2024
WR-B1	Complete a method statement to show the points of measurement for each borehole. This should be provide to NRW and anyone involved in carrying out the weekly manual level monitoring.	01/06/2024
WR-H1	Ensure the ingress of any contamination to the borehole through run-off is prevented.	01/06/2024

Action 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 or civil sanctions being imposed depending on the circumstances of the offence.

**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

A visit was carried out on the 21st March 2024 to the abstraction that takes place from groundwater at Kronospan under licence WA/067/0006/015.

The visit found that the abstraction is currently being used for the purpose of evaporative cooling. The point of abstraction is borehole "W2", with the remaining 2 boreholes being utilised within this licence as monitoring points.

Condition 9.1 of the licence states:

*(i) The Licence Holder shall use a dip-tube of internal diameter of not less than 25 millimetres on abstraction borehole 'W2'.*

*(ii) The Licence Holder shall ensure that the dip tube shall be safely accessible to NRW staff at any reasonable time.*

*(iii) Should it become necessary to remove the dip tube to facilitate maintenance work, repair work or replacement of equipment, the Licence Holder shall replace the dip tube immediately on completion of that work.*

The borehole is situated within a brick chamber around 1 metre below the surface level. There is a mesh grid across the top of the chamber which makes it difficult to determine if the dip-tube is in place. There is a small circular opening on the top of the borehole that the dip meter can be lowered into for manual level gauging.

Condition 9.3 of the licence states:

*The Licence Holder shall secure all boreholes with a lockable cover and shall take all appropriate measures to prevent unauthorised access, damage, interference and ingress of potentially contaminating materials or substances.*

It appeared that run-off from the log yard was taking place from the hard standing towards the borehole. This was evident from the large amount of sawdust that had built up in this corner. Although no contamination was identified within the borehole, there is a potential pathway for any contaminants from the log yard to enter this. I would ask that an assessment is made of the run-off from the log yard to ensure there is no ingress of this into the borehole.

Condition 9.2 of the licence states:

*(i) The Licence Holder shall measure and record at the same time each week the groundwater level in boreholes at National Grid Reference SJ 28688 38624 marked 'W2', National Grid Reference SJ 28689 38679 marked 'A1' and National Grid Reference SJ 28977 38369 marked 'B' on the site map.*

*(ii) The weekly groundwater level records, together with the time and date of measurement, shall be recorded by the Licence Holder in terms of both metres below datum (m.b.dat) and metres above Ordnance Datum (m.AOD). The dipping datum point shall be clearly marked at each borehole. These shall be submitted to NRW on an annual basis subject to Condition 8.2 above.*

It was confirmed that the boreholes are manually dipped on a Thursday each week. The data from this is entered onto a spreadsheet by the site, along with the data for the boreholes that relate to the abstraction that takes place from borehole "W3" under licence WA/067/0006/006. The datum point isn't marked on any of the boreholes. It was agreed that a method statement will be created containing a description of each borehole and pictures showing the point of measurement that should be used. This is to ensure accurate measuring takes place each week. This should be provided to NRW by 1st June 2024.

The readings taken at each borehole during the visit were as follows:

A1 - 8.69m from top of pipe  
W2 - 7.63m from top of grating  
B - 32.30m from top of pipe

linking in with condition 9.2 above, condition 8.2 of the licence states:

*The Licence Holder shall send to NRW a copy of the records required by conditions 8.1 and 9.2 or summary data to NRW within 28 days after 31 March in each year and also within 28 days of being so requested in writing by NRW.*

It was confirmed that the abstraction quantities are submitted to the online portal, but the submission of the groundwater level records has not been taking place. During the visit, it wasn't known who was best placed in NRW to receive this data. However, on further review of the licence, it was found that the contact details are contained within the Important Notes. These are as follows:

Natural Resources Planning Officer  
North and Mid Natural Resources Planning  
Natural Resources Wales  
Chester Road  
Buckley  
Flintshire  
CH7 3AJ  
Tel: 0300 065 3000  
Email: [nrp.northmid@cyfoethnaturiolcymru.gov.uk](mailto:nrp.northmid@cyfoethnaturiolcymru.gov.uk)

The above contact details should be used for submitting the required groundwater level

records for this licence from the 1st April 2024 going forward. Please can you back date this to include the level data for the period 1st April 2023 - 31st March 2024.

The returns for the following annual quantities on the portal are:

2015 to 2026 - 90,473 cubic metres  
2016 to 2017 - 132,306 cubic metres  
2017 to 2018 - 143,794 cubic metres  
2018 to 2019 - 85,731 cubic metres  
2019 to 2020 - 96,407 cubic metres  
2020 to 2021 - 36,207 + 64,066 = 100,273 cubic metres (meter clocking back to 0 part way through the year)  
2021 to 2022 - 94,433 cubic metres  
2022 to 2023 - 76,588 cubic metres

The return quantities for the above periods are within the maximum licence annual quantity limit of 160,000 cubic metres per year.

The last meter reading submitted for the end of the 2023 year was 235461 m<sup>3</sup>. The meter reading during the visit was 304551 m<sup>3</sup>.

If you would like to discuss any of the above further, please do not hesitate to contact me on the details below.

Phil Barrett  
0300 065 3670  
[Philip.barrett@cyfoethnaturiolcymru.gov.uk](mailto:Philip.barrett@cyfoethnaturiolcymru.gov.uk)

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 licence is issued to you under the Water Resources Act 1991 as amended by the Water Act 2003. You have a responsibility to comply with the conditions of your licence and prevent pollution/harm to 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.

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
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

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

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

**Full list of Water resource action criteria** (used in section 1 and 2):**WR A: Abstraction specified by Licence**

- WR-A1 Source of supply
- WR-A2 Points of abstraction
- WR-A3 Means of abstraction
- WR-A4 Purposes of abstraction
- WR-A5 Period of abstraction
- WR-A6 Quantities
- WR-A7 Land
- WR-A8 Other specified on licence

**WR B: Abstraction measurement and records**

- WR-B1 Means of measurement
- WR-B2 Recording
- WR-B3 Reporting

**WR C: Surface / Groundwater level and protected flow**

- WR-C1 Minimum hands-off flow/level requirements
- WR-C2 Flow/level measurement devices
- WR-C3 Recording
- WR-C4 Reporting

**WR D: Environmental monitoring and information**

- WR-D1 Recording
- WR-D2 Reporting
- WR-D3 Notifications

**WR E: Fish and eel passage**

- WR-E1 Infrastructure specified by licence
- WR-E2 Maintenance and records

**WR F: Discharge**

- WR-F1 Point of discharge
- WR-F2 Infrastructure
- WR-F3 Measurement
- WR-F4 Recording
- WR-F5 Reporting

**WR G: Impoundment specified by licence**

- WR-G1 Inland water to be impounded
- WR-G2 Manner and extent of impoundment
- WR-G3 Point(s) of impoundment
- WR-G4 Construction and removal requirements
- WR-G5 Other specified on licence

**WR H: Borehole infrastructure**

- WR-H1 Infrastructure and accessibility
- WR-H2 Maintenance and calibration

**Enforcement response**

Any licence condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution or civil sanctions. 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 20 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 (Mon to Fri 08:00 – 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.