

Compliance Assessment Report CAR_NRW0044337

Permit being assessed: NP3030BJ.

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

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

Type of assessment: Site Inspection,

Reason: Routine.

On: 16/05/2024 between 10:30 and 14:00.

Parts of permit assessed: Site Inspection - Effluent treatment plant & monitoring.

NRW Lead Officer: Rebecca Green.

Report sent to: Kate Davies, Environmental Lead, on 17/05/2024.

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

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition |
|---|-------------------|------------------|
| IR3E - Installations - Emissions and monitoring - Monitoring | Action only (X) | |
| IR4B - Installations - Information - Reporting | Action only (X) | |
| IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits | Action only (X) | |
| IR1A - Installations - Management - General Management | Assessed (A) | |
| IR3A - Installations - Emissions and monitoring - Emissions to water, air or land | Assessed (A) | |
| IR1C - Installations - Management - Energy Efficiency | 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?

| Criteria | Action needed | Complete by |
|----------|--|-------------|
| IR3E | Replace faulty flow meter. | 12/07/2024 |
| IR4B | Note alternative flow measurement method on next quarterly monitoring report. | 30/09/2024 |
| IR3B | EnerSys should develop a long term plan to repair and improve the site-wide impermeable surface. | 25/10/2024 |

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.

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 purpose of this inspection was to update Natural Resources Wales (NRW) on EnerSys's present activities and future developments prior to Rebecca Greens' retirement.

Present at the meeting:-

TG, Site Manager, EnerSys;

JB, HSE Manager, EnerSys;

KD, Environmental Lead, EnerSys;

AW, Health and Safety Officer, EnerSys and

Rebecca Green, (RVG), Senior Officer, (Site Officer) Industry Regulation South East, NRW.

Flow Meter - site discharge to sewer

The flow meter is not working and seems to be uneconomic to repair. EnerSys submitted a Schedule 5 A notifying NRW of this failure and will submit the Schedule 5 B when they have more information about the availability of a replacement. The Schedule 5 will be the subject of a separate CAR form.

In the meantime, EnerSys will discharge one holding tank of treated effluent at a time. The volume of these tanks is known and can be recorded. The permit requires EnerSys to report the daily volume discharged, so this will comply with the permit requirements, although the volume will not be as accurate as if it had been measured by a flow meter. EnerSys should record the flow monitoring method on the next quarterly monitoring report. **See Action IR4B above.**

Acid Storage Tank

The present acid storage tank has to be moved to make space for a new chiller. The project is progressing and quotes for ground piling of the area are awaited. The impermeable surface in this area will be replaced as part of the project. No timescale is available yet.

EnerSys must ensure that the tank and all secondary and tertiary containment complies with CIRIA 736.

Emission Point A14

This may be re-instated and new abatement equipment might be installed. It is listed on the permit, along with emission limit values. EnerSys will not need to apply for a variation if it is re-instated, but should inform NRW of their intentions, any timescale and if the abatement method changes.

Energy Efficiency

Meters are due to be installed on individual processes. There are some solar panels on site and more are due to be installed.

Site Inspection

The cold cubing system was seen.

The site was generally tidy and in good condition. However the impermeable surface site-wide is showing signs of its age and, in some places, is in poor condition. EnerSys need to develop a long term plan to repair, improve or replace the impermeable surface for the whole site. **See Action IR3B above.**

EnerSys are experiencing a serious wood dust problem, caused by the adjoining operation, Pallet Recycling South Wales (PRSW). Pallets are stacked about 15 feet high in many rows and appear to be a mixture of treated and untreated wood. No adequate firebreaks were seen. There is also a high stack of plastic sheets very near to an emission point pipe. If they catch fire the pipe will be destroyed. The shredding shed is covered, but the tarpaulin is open at the corners, allowing shredded wood to escape and enter some of the plant buildings on the EnerSys site. Mesh erected by PRSW on the shared boundary is ineffective because it is torn and falling down. Significant amounts of dust are also generated when lorries are loaded. EnerSys have had some success in requesting PRSW to control their dust emissions, but measures taken have not been very effective.

Nearby drains were inspected. The main drain appears clear, but the Aro drains are blocked.

RVG advised EnerSys to -

- report dust emissions to NRW via the incident reporting system (03000 653000) and
- inform the local authority of the nuisance.

RVG will check to see if PRSW hold an environmental permit and pass the matter to the relevant waste team for any further action. Due to staffing constraints, the waste team may not be able to take immediate action.

EnerSys and NRW have developed a good relationship and NRW hope that this will continue in the future.

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 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.