

Compliance Assessment Report CAR_NRW0044620

Permit being assessed: YP3732LZ.

For: WREXHAM CABLE WORKS, **held by:** Prysmian Cables and Systems Ltd

At: Oak Road Oak Road , Wrexham Industrial Estate, WREXHAM, Clwyd, LL13 9PH.

Type of assessment: Audit,

Reason: Routine.

On: 19/06/2024 between 11:50 and 14:10.

Parts of permit assessed: SEE NOTES (Section 4).

NRW Lead Officer: Victoria Griffin, accompanied by Philip Harper.

Report sent to: Site Director, Site Director, on 29/07/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Installations - Management - General Management	C3 Minor	Condition 1.1.1 (a)
IR1A - Installations - Management - General Management	C3 Minor	Condition 1.1.1 (b)
IR1A - Installations - Management - General Management	C3 Minor	Condition 1.1.1
IR1A - Installations - Management - General Management	C3 Minor	Condition 1.1.2
IR2A - Installations - Operations - Permitted activities	Assessed (A)	
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	Condition 3.2.1
IR4A - Installations - Information - Records	C3 Minor	Condition 4.2.3

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

Total non-compliances recorded	Total non-compliance score
6	24

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
IR1A	See Action 1 below	30/09/2024
IR1A	See Action 3 below	30/09/2024
IR1A	See Action 7 below	30/09/2024
IR1A	See Action 4 below	30/09/2024
IR3B	See Action 6 below	30/09/2024
IR4A	See Action 5 below	28/01/2025

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

This was a pre-arranged inspection to complete an Operator Monitoring Assessment (OMA) for Water.

The Safety Health and Environment (SHE) Manager was the host for the site visit accompanied by an external consultant employed by the Operator to support the SHE Manager.

OMA Audit

The OMA Audit covered emissions to sewer at S1 (Site Drain Leading to Lagoon). S1 location is the Surface Water Discharge Manhole, which discharges to the River Clywedog and is located downstream of the Lagoon.

Overall, the sites management system of water emissions monitoring is generally of a satisfactory standard.

A review of the monitoring location recognised there is sufficient confidence that the S1

sampling location and method of sample recovery, provides representative samples for analysis.

Sampling of water at S1 and scheduling for laboratory analysis is completed to an acceptable standard. However, the EMS would benefit from a formalised monitoring /sampling schedule which is accessible to those appointed to undertake the water monitoring to ensure continuity.

Internal auditing of the water monitoring procedures is not undertaken. This is a breach of Condition 1.1.1 (a) of the Permit which requires that....*the operator shall manage and operate the activities: (a) in accordance with a written management system....* **A Category 3 score has been applied.**

A UKAS accredited laboratory is used for the analysis of water samples. Samples are scheduled by completing an electronic chain of custody form (PDF).

The SHE manager is leaving the role /company and the temporary SHE replacement has received limited water monitoring training. There is no clear provision for a handover to the replacement SHE manager once appointed. The findings of the audit strongly suggest that the previous handover was also lacking in substance and there are no evidence of specific training for water monitoring. The lack of training /handover was particularly reflective following a review of the 2023 annual returns submitted to NRW.

This is a breach of Condition 1.1.1 (b) of the Permit which requires that....*the operator shall manage and operate the activities:.....(b) using sufficient competent persons and resources.* **A Category 3 score has been applied.**

A documented contingency for roles with responsibility for sampling and monitoring and the SHE Manager role is not available; deficiencies are currently addressed on an ad hoc basis. This issue was also formally raised in the most recent external ISO14001 audit. The Operator confirmed that a procedure to address this is being developed but has yet to be finalised.

This is a breach of Condition 1.1.2 of the Permit which requires that....*records demonstrating compliance with condition 1.1.1 shall be maintained.* **A Category 3 score has been applied.**

Annual monitoring results are reported in accordance with Condition 4.2.3 of the Permit. A review of the data has not been undertaken as required by their procedure and which is also in breach of Condition 4.2.2 (a) of the Permit which requires *a review of the results of the monitoring and assessment carried out in accordance with Permit including an interpretive review of that data.* **A Category 3 score has been applied.**

Please refer to the full OMA audit reports for more detail.

On-site Observations

Garage Area Drains & Interceptor

The drain adjacent to the bulk fuel storage area, near the maintenance garage, was observed to be blocked with silt. The SHE manager advised that this drain was connected to a three stage oil /water interceptor. A drainage plan for the site suggests that the on-

site interceptors are connected to the surface water drainage system which discharges to the River Clywedog.

The SHE manager was unable to confirm whether the drains and interceptor in this area were included on the Preventative Maintenance Plan for the site. Poor management and maintenance of such drains and associated interceptors can lead to contamination of the downstream surface water drainage system and the receiving waters. **This is considered to be a breach of permit Condition 3.2.1 and a Category 3 score has been applied.**

Bulk Fuel Bund

The bulk fuel tank bund was observed to be damaged. The damage comprised significant cracks and movement in the bund wall, consistent with what would be expected from vehicle impact. There was a diesel spill both inside and outside the bund. The SHE Manager was unaware of the incident, despite the damage not appearing to be recent.

Observations and discussion with the SHE manager concluded that the damage was likely to be from the impact of a fork lift truck (FLT) during fuelling, although this could not be confirmed. The SHE manager could not identify a mechanism that the FLT operative, or any other operative, would be able report such an incident. The lack of reporting of an incident and awareness of mechanisms for reporting is a **breach of Condition 1.1.1 of the permit and a Category 3 score has been applied.**

Boiler House

Due to the presence of asbestos, there were access restrictions to the boiler house. At the time of visit the operator was unable to provide any detail regarding the boilers. The operator agreed to provide the required information following the site inspection.

Actions and Recommendations

Action 1. Provide NRW with an internal auditing programme which identified and utilises departments /personnel who are not directly associated with the monitoring activities to undertake the audits by **30 September 2024.**

Action 2. Prepare a sampling schedule and provide evidence to NRW by **30 September 2024.**

Action 3. Investigate and address how personnel are appointed and inducted to specific roles, with particular emphasis on a robust technical handover and senior management support. Provide NRW with evidence of sufficient competent persons in roles or provide a proposal and timeline to address this by **30 September 2024.**

Action 4. Provide NRW with a copy of the new personnel contingency procedure by **30 September 2024.**

Action 5. Include a review of the results in each Annual Report as required by the Permit. Include a review of the results to date and cross reference any sampling data with the historical and recent operation of the lead coating process. Provide NRW with the report as part of the 2024 annual return submission as specified by the Permit.

Action 6. Review and update the preventative maintenance plan to include management and maintenance of drains and interceptors at appropriate intervals. Provide NRW with a

copy of the updated PMP for review by **30 September 2024**.

Action 7. Review, update and provide training to staff on reporting of incidents and accidents. Allocate staff and resource for undertaking regular planned site "walk arounds" which will identify potential environmental issues. Provide evidence to NRW by **30 September 2024**.

Action 8. Summarise the specification /details of existing operational, duty and standby, boilers. Information to include size in mega watts (MW), the date of installation and commissioning and fuel type for each boiler. Provide information to NRW by **30 September 2024**.

Recommendation 1. Consideration should be given to using the ALS online scheduling portal (MyALS) to provide continuity when scheduling samples for analysis and to minimise the potential for data loss.

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.