

Compliance Assessment Report CAR_NRW0043574

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: Report/Data Review,

Reason: Routine.

On: 31/12/2023.

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

NRW Lead Officer: Victoria Griffin.

Report sent to: Neil Young, Quality, Health, Safety and Environmental Manager, 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 |
| IR1E - Installations - Management - Avoidance, recovery and disposal of wastes produced by the activities | Assessed (A) | |
| IR3E - Installations - Emissions and monitoring - Monitoring | C3 Minor | Condition 3.5.1 |
| IR4A - Installations - Information - Records | C4 No impact | Condition 4.2.2 |
| IR4B - Installations - Information - Reporting | 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 |
|--------------------------------|----------------------------|
| 4 | 12.1 |

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 Actions below | 29/03/2024 |

| Criteria | Action needed | Complete by |
|----------|--------------------------------|-------------|
| IR3E | See Actions - Water monitoring | 29/03/2024 |
| IR4A | See Actions below | 29/03/2024 |
| IR4B | See below | 29/03/2024 |

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.

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 Compliance Assessment Report (CAR) has been generated by Natural Resources Wales (NRW) regulating officer to comment upon the annual monitoring data and annual report for the regulated facility.

1. Annual Monitoring Data

Air Emissions - Emission Point A2

The Operator has not undertaken the annual air monitoring for 2023. The Operator informed NRW by email on the 26 February 2024 that stack monitoring could not be undertaken due to the lead line being out of use *due to technical/engineering challenges and limited requirements for its use*. It is proposed to bring the lead line back into operation April 2024; see actions below.

Emissions to Sewer - Monitoring Point S1

The Operator has not provided the annual sewer sampling and monitoring for 2023. The Operator informed NRW by email on the 26 February 2024 that there are discrepancies with the laboratory analysis report and the requirements of the permit. No data has been provided to NRW for review.

The absence of monitoring data is considered by NRW to be a **breach Condition 3.5.1 and has been scored a C3**

Condition 4.2.3 of the Permit requires that... *Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing with Natural Resources Wales, submit reports of the monitoring and assessment carried out.* NRW considers the absence

of any data for review to be a **breach of Condition 4.2.3 and this has been scored a C4.**

2. Annual Report

Some annual data was provided to NRW by email on 26 February 2024. A 2023 Annual Report summarising energy use has not been provided and waste data for 2023 has been submitted in the incorrect format.

NRW considers the absence of the correct data for review to be a **breach of Condition 4.2.2 and this has been scored a C4.**

A failure to submit the correct annual monitoring and emission data as specified by the permit, demonstrates a failure of the procedures and associated environmental management system. This is a **breach of Condition 1.1 and has been scored a C3.**

3. Actions

The following actions are to be undertaken by the Operator:

Action 1 - Once the lead line is operational, NRW must be informed in writing. Stack monitoring should be undertaken at the earliest opportunity and the results provided to NRW for review. The status of the lead line should be **reported to NRW on the 15 April 2024**, irrespective of whether it is operational or otherwise.

Action 2 - The Operator must review the requirements of the Permit with regards to water monitoring and reporting and where necessary seek advice to improve their understanding of their obligations to the Permit by **29 March 2024**.

Action 3 - The Operator must review and where necessary update procedures around monitoring and reporting by **29 March 2024**.

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.