

Compliance Assessment Report CAR_NRW0044870

Permit being assessed: BW9999IG.

For: Chirk Particleboard Factory, **held by:** Kronospan Ltd

At: Chirk Particleboard Holyhead Road , Chirk, Wrexham, Clwyd, LL14 5NT.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: Emissions Monitoring.

NRW Lead Officer: Stuart Ross.

Report sent to: Chris Emery, Director, on 20/01/2025.

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

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition |
|---|-------------------|------------------|
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor | 3.1.2 |
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor | 3.1.2 |
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor | 3.1.2 |
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor | 3.1.2 |
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor | 3.1.2 |
| IR1A - Installations - Management - General Management | C3 Minor | 1.1 |
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor | 3.1.2 |
| IR4C - Installations - Information - Notification | C3 Minor | 4.3.2 |
| IR4B - Installations - Information - Reporting | Action only (X) | |
| IR4B - Installations - Information - Reporting | Action only (X) | |
| IR3A(1) - Installations - Emissions and monitoring - Emissions to water | C3 Minor | 3.1.2 |

| Part of permitted activity assessed (compliance criteria) | Assessment result | Permit condition |
|---|-------------------|------------------|
| IR3E - Installations - Emissions and monitoring - Monitoring | Action only (X) | |
| IR3E - Installations - Emissions and monitoring - Monitoring | C3 Minor | 3.6.1(c) |
| IR4B - Installations - Information - Reporting | C4 No impact | 4.2.3 |
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor | 3.1.2 |
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | Action only (X) | |
| IR3A(2) - Installations - Emissions and monitoring - Emissions to air | C3 Minor | 3.1.2 |
| IR4B - Installations - Information - Reporting | Action only (X) | |
| IR3E - Installations - Emissions and monitoring - Monitoring | Action only (X) | |
| IR4C - Installations - Information - Notification | C3 Minor | 4.3.2 |

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

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 14 | 52.1 |

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 |
|----------|---|-------------------|
| IR3A(2) | Refer details section | Already completed |
| IR3A(2) | Refer details section | Already completed |
| IR3A(2) | Continue to monitor emissions | Already completed |
| IR3A(2) | Continue to monitor emissions | Already completed |
| IR3A(2) | Continue to monitor emissions | Already completed |
| IR1A | Action 1 - NRW seeks clarification from Kronospan as to the preventative maintenance checks that have been put in place on the Urea pumps and flow meter to prevent a recurrence. | 14/02/2025 |
| IR3A(2) | To be determined following receipt of outstanding Schedule 5 notification. | 31/01/2025 |
| IR4C | Action 2 – Submit a Schedule 5 Notification (Part A & B) to | 14/02/2025 |

| Criteria | Action needed | Complete by |
|----------|--|-------------------|
| | NRW for the formaldehyde ELV exceedance at A32 in May 2024. | |
| IR4B | Action 3 – Review and resubmit the Quarter 2 'Form Water 1'. | 31/01/2025 |
| IR4B | Action 4 – Review your quality control processes to ensure monitoring data is reported accurately in accordance with the permit. | 14/02/2025 |
| IR3A(1) | Action 5 – Review the preventative maintenance regime for the lagoons and implement measures that enable the cleaning (desilting) at a sufficient frequency to prevent ELV exceedances. | 14/02/2025 |
| IR3E | Action 6 – Please clarify why K7 Biomass boiler does not produce any APCr. | 31/01/2025 |
| IR3E | Action 7 – Review sampling procedures to ensure sufficient IBA sample is sent for analysis and implement accordingly. | 14/02/2025 |
| IR4B | Action 8 - Take steps to ensure the requirements of permit condition 4.2.3 are met, to include a review of procedures and staff training. | 31/01/2025 |
| IR3A(2) | Refer details section | Already completed |
| IR3A(2) | Action 9 - Confirm if Boiler K8 was operational at the time of the CO ELV exceedance 23/09/24. | 31/01/2025 |
| IR3A(2) | Continue to monitor emissions | Already completed |
| IR4B | Action 10 – Provide an explanation as to why the formaldehyde result at A29 on the Q3 reporting form does not match the ATESTA data on 22/07/24. | 31/01/2025 |
| IR3E | Action 10 – Provide NRW with a copy of the MCERTS test house report for emissions testing at A30 on 27, 28, and 29 August 2024. | 31/01/2025 |
| IR4C | Action 11 – Take steps to ensure the requirements of permit condition 4.3.2 are met, to include a review of procedures and staff training. Provide NRW with a summary of the steps you have taken to prevent further non-compliance with this condition. | 31/01/2025 |

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 Compliance Assessment Report (CAR) has been raised by the Natural Resources Wales (NRW) regulating officer to report on Kronospan's routine emissions monitoring returns and associated Schedule 5 notifications for the period 1st April to 30th June (Quarter 2) and 1st July to 30th September (Quarter 3) 2024.

The report also covers a review of Kronospan's revised timescales for achieving compliance with Improvement Condition 53 (IC53) pertaining to the monitoring of emissions to surface water at emission point W1.

As this compliance assessment report covers two monitoring periods (Quarters 2 and 3), each period has been assessed separately in accordance with NRW's compliance assessment guidance.

Emissions monitoring and reporting has been assessed against the monitoring requirements set out in Schedule 3 and 4 of the permit and associated permit conditions.

Quarter 2 Monitoring Returns and Schedule 5 Notifications

1.1 Emissions to Air

Emission Points A1, A5, A6, A16, A17 & A18

Testing is required annually at these emission points with the exception of TVOC that is required quarterly at emission point A1, the permit requires that emissions are reported annually.

Emissions testing data presented for 2024 identified that emissions were compliant with their respective Emission Limit Values (ELVs)

Annual Emission testing at A16 and A18 will be required before year end. N.B testing at A18 is only required if this emission point is brought into use for periods which aggregate to >28 days per annum.

The permit states that the monthly monitoring frequency of TVOC At emission point A1 may be reduced to once a year if the emissions are proven to be sufficiently stable.

Recommendation - Kronospan to review TVOC data at emission point A1 and advise

NRW of its proposed monitoring frequency going forward.

Emission Point A19 (Gas Turbine 1)

Quarterly, emissions testing 03/05/24 identified that emissions were in compliance.

Emission Point A20 (Gas Turbine 2)

Quarterly emissions testing is required at this emission point when it is brought into use for periods which aggregate to >28 days. The monitoring return states that there was no testing this quarter.

Emission Points A21 - A25 (Gas Engines)

Testing is required quarterly, emissions testing 21/05/24 identified that emissions were in compliance. Emission points A24 and A25 are not active as engines have not been installed.

Emission Point A26 (K7 Biomass Boiler)

Quarterly emissions testing 02/05/24 identified that emissions of NO_x and CO exceeded their respective ELVs.

NO_x, 922.7 mg/m³ (ELV 250 mg/m³)

CO, 728.3 mg/m³ (ELV 150 mg/m³)

This is a breach of permit condition 3.1.2 and each ELV exceedance attracts a non-compliance score of C3.

The operator submitted a Schedule 5 notification.

Following the ELV exceedances, Kronospan completed a major planned outage to complete maintenance and improvement works on the boiler with the objective of improving emissions. K7 is currently subject to a BAT review and on completion new ELVs and Improvement Conditions relating to emissions control will be set.

Emission Point A27 (K8 Biomass Boiler)

Quarterly and continuous emissions monitoring identified that emissions were compliant throughout the period.

Emission Point A28 (WESP 32)

Quarterly, emissions testing 07/05/24 identified that emissions were compliant.

Emission Point A29 (MDF 2 Cyclones)

Quarterly, emissions testing was completed 25/06/24 and identified that emissions of TVOC, Formaldehyde and Hydrogen Fluoride exceeded their respective ELVs.

TVOC, 161.7 mg/m³ (ELV 120 mg/m³)

Formaldehyde, 42.6 mg/Nm³ (ELV 15 mg/m³)

Hydrogen Fluoride (HF) 1.5 mg/m³ (ELV 1 mg/m³)

This is a breach of permit condition 3.1.2 and each ELV exceedance attracts a non-compliance score of C3.

The operator submitted a Schedule 5 notification stating that production records and process parameters during the monitoring period have been reviewed – the root cause of the exceedance was not identified.

TVOC and HF emissions were compliant at the next monitoring round 22/07/24 (refer comment on formaldehyde as per Q3 review below).

Further to an action set in Compliance Assessment Report CAR_NRW0043325 and again in CAR_NRW0044339 a response was received from Kronospan 12/12/24 regarding their investigations and actions to bring formaldehyde emissions into compliance with the permitted ELVs.

In summary Kronospan reported that *'investigations into the causes for emission limit breaches have been extensive, with a focus on the control and operation of the primary measures (i.e. dryer operation, resin manufacture, and scavenger addition)'*.

... that 'Urea solution or hardeners (ammonia sulphite) are utilised as a formaldehyde scavenger and dosed into the dryers to reduce formaldehyde emissions. The solution is pumped through a flow meter and mixes with the wood fibre and resin prior to entry into the dryer. Dosing is automatic and controlled through the plant control system with physical checks / inspections undertaken by the production team daily.'

The urea solution dosing system was inspected and found to be in good working order, without any blockages, with mechanical couplings and drives in good condition.

To verify the dosing rate of the scavenger was correct, a manual check of the automated dosing system was carried out. It became apparent that the flow meter was limited to a maximum dosing rate of 30 litres/minute, despite the settings within the control system stating higher figures. In effect, the flow meter was limiting the urea dosing but the control system and Technicians were unaware of the discrepancy as the feedback received (visually and electronically) was incorrect.

As a result of these investigations, the urea dosing pumps and flow meters have been serviced and all settings confirmed and verified. MDF 1 and MDF 2 are currently offline for a planned preventative maintenance shutdown and are scheduled to return to production by 4th December 2024. Emissions monitoring will be undertaken on re-start to determine what impact the recent work on the urea dosing system has had on the formaldehyde emissions at the cyclones'.

NRW considers that the failure to operate the urea dosing pumps, in particular via lack of periodic calibration checks, failed to minimise formaldehyde emissions and is in breach of

permit condition 1.1 attracting a non-compliance score of C3.

Action 1 - NRW seeks clarification from Kronospan as to the preventative maintenance checks that have been put in place on the Urea pumps and flow meter to prevent a recurrence. Please do so by 14/02/25.

Emission Point A30 (MDF 1 Cyclones)

Quarterly, emissions testing was completed 24/06/24 and identified that emissions were compliant with their respective ELVs.

Formaldehyde was measured at 16mg/m³ with a measurement uncertainty of +/- 3.1, versus ELV of 15mg/m³. This is not recorded as an ELV exceedance.

Emission Point A31 (Press Abatement)

Emission point not in use this quarter.

Emission Point A32 (WESP 21)

Quarterly, emissions testing was completed 07/05/24 to 08/05/24 and identified that emission of formaldehyde exceeded the ELV (21.1mg/m³ versus 10mg/m³).

This is a breach of permit condition 3.1.2 and attracts a non-compliance score of C3.

A schedule 5 Notification was not received, this is in breach of permit condition 4.3.1 and attracts a non compliance score C3 for this quarter.

Action 2 – Submit a Schedule 5 Notification (Part A & B) to NRW for the formaldehyde ELV exceedance at A32 in May 2024 by 14/02/25.

1.2 Emissions to Surface Water

Emission Point E1

No discharges reported during the reporting period.

Emission Point W1

The report form (Form Water 1) references dates for the sample data presented that were collected outside of the reporting period. For example, the value for BOD is dated 08/03/24 which is in the previous quarter.

No ELV exceedances were recorded based on the data presented.

Action 3 – Review and resubmit the Quarter 2 'Form Water 1' by 31/01/25.

Action 4 – Review your quality control processes to ensure monitoring data is reported accurately in accordance with the permit. Please do so by 14/02/25.

On 13/07/24 NRW responded to an incident report of discolouration of the Afon Bradley, the incident investigation traced this back to a discharge from W1. The discharge originated from lagoon 2 which was at a low level, water leaving the lagoon was discoloured. A formal

sample was collected of the discharge at W1 and split into two samples, with one sent for analysis at NRW's laboratory, the other provided to Kronospan.

NRW analysis identified a breach of ammoniacal nitrogen ELV at 22.5mg/l (ELV 5mg/l) and that total suspended solids (TSS) and Biochemical Oxygen Demand (BOD) were in compliance. Kronospan analysis of the spilt sample also found ammoniacal nitrogen above the ELV at 23.5mg/l but also that TSS was in breach of the ELV, other parameters were compliant.

For the purposes of compliance assessment the NRW sample results have been used.

The exceedance of the ammoniacal nitrogen ELV is a breach of permit condition 3.1.2 and attracts a non-compliance score of C3.

Kronospan stopped the discharge from lagoon 2 at the time of the NRW investigation and subsequently submitted a Schedule 5 Notification reporting that-

Lagoon 2 was tested at 08:30 on 13/07/24 and found to be in compliance :

Ammonia: 4.48mg/l, Total Suspended Solids: 62mg/l, Formaldehyde: 1.11mg/l, pH: 8.03, Oil & Grease: 0.0mg/l

Discharge began at approximately 10:30 hours, with the lagoon at 80% level. Procedure require a verifying sample which was taken at 11:10 and compliance was confirmed:

Ammonia: 4.87mg/l, Total Suspended Solids: 41mg/l, Formaldehyde:1.62mg/l, pH: 7.34, Oil & Grease: 0.0mg/l

The lagoon level at this point was 63%.

NRW samples were taken at approximately 19:40 when the lagoon was at its lowest level (14%).

It should be noted that the lagoon cleaning regime has been delayed by the constant wet weather and the clean is set for the next sufficient weather window. The lagoon clean will be carried out at the earliest opportunity. To avoid the possibility of a recurrence until this time, the lagoon will be maintained at levels no lower than 30%. An additional verification penstock sample will be taken when the lagoon level drops to 35-40%.

Kronospan subsequently cleaned the lagoons to remove settled solids. Since this incident there have been no further ELV exceedances at W1.

Monitoring arrangements at W1 are currently subject to improvements in accordance with IC53.

Action 5 – Review the preventative maintenance regime for the lagoons and implement measures that enable the cleaning (desilting) at a sufficient frequency to prevent ELV exceedances. Please do so by 14/02/25.

1.3 K7 & K8 Incinerator Bottom Ash (IBA) and Air Pollution Control Residues (APCr)

K7 and K8 biomass Boiler IBA Loss On Ignition <5% (Compliant)

Action 6 – Please clarify why K7 Biomass boiler does not produce any APCr. Please do so by 31/01/25.

The report states that for K8 IBA, ‘insufficient mass/volume of sample sent to allow adequate pre-analysis extraction’.

Failure to analyse IBA as required by table S3.9 is a breach of permit condition 3.6.1(c) and attracts a non compliance score of C3.

Action 7 – Review sampling procedures to ensure sufficient IBA sample is sent for analysis and implement accordingly. Please do so by 14/02/25.

2.0 Quarter 3 Monitoring Returns and Schedule 5 Notifications

Quarterly returns were received late on 12/12/24, due 28/10/24. This is a breach of permit condition 4.2.3 and attracts a non compliance score of C4.

Action 8 - Take steps to ensure the requirements of permit condition 4.2.3 are met, to include a review of procedures and staff training. Please do so by 31/01/25.

2.1 Emissions to Air

Emission Points A1 , A5, A6, A16, A17 & A18

No additional annual emissions testing reported for this period. Annual Emission testing at A16 and A18 will be required before year end. N.B testing at A18 is only required if this emission point is brought into use for periods which aggregate to >28 days per annum.

Emission Point A19 (Gas Turbine 1)

Quarterly, emissions testing identified that emissions were compliant with their respective ELVs.

Emission Point A20 (Gas Turbine 2)

Quarterly emissions testing is required at this emission point when it is brought into use for periods which aggregate to >28 days. The monitoring return states that there was no testing this quarter.

Emission Points A21 - A25 (Gas Engines)

Testing is required quarterly, emissions testing identified that emissions were compliant with their respective ELVs.

At emission point A21 and A22, NO_x was measured at 285.7 mg/m³ and 286 mg/m³ respectively versus ELV of 280mg/m³. When the measurement uncertainty is applied the

results are within the ELV and therefore this not recorded as an ELV exceedance.

Kronospan did not submit a Schedule 5 notification for the above but later did so 17/12/24 following a request from NRW. As per recent correspondence, the permit requires that operators must notify NRW of an ELV exceedance via a Schedule 5 notification, quoting the measurement uncertainty on the form if available.

NRW will then apply the measurement uncertainty when assessing compliance, if the adjusted result comes in under the ELV we do not apply a non compliance score.

It is noted that the permit contains a bespoke condition (3.1.3) relating to the use of measurement uncertainty when assessing compliance for periodic measurements but please notify NRW as per the request above. This permit condition may be removed from the permit to bring it in line with the standard permit template.

Kronospan reported that Engine Servicing was completed in early October and that Q4 compliance monitoring has been completed and emissions are compliant. Kronospan state that NOx trends will be monitored to assist in the scheduling of servicing and maintenance programmes.

Emission points A24 and A25 are not active as engines have not been installed.

Emission Point A26 (K7 Biomass Boiler)

Quarterly emissions testing identified NOx emissions at 503.3 mg/m³ (ELV 250 mg/m³). All other parameters were compliant.

This is a breach of permit condition 3.1.2 and each ELV exceedance attracts a non-compliance score of C3.

Kronospan did not submit a Schedule 5 notification for the above but later did so 17/12/24 following a request from NRW.

K7 is currently subject to a BAT review and on completion new ELVs and Improvement Conditions relating to emissions control will be set.

Emission Point A27 (K8 Biomass Boiler)

Quarterly extractive monitoring identified that emissions were compliant with their respective ELVs.

An apparent ½ hourly Carbon Monoxide (CO) ELV exceedance occurred 23/09/24 at 158.9 mg/Nm³ (ELV 150 mg/m³).

Kronospan did not submit a Schedule 5 notification for the above exceedance but on 17/12/24 following contact from NRW it was reported that '23/09 was not classed as a "report day" by the CEMS at K8, hence the lack of notification' and that 'This was likely due to maintenance work but I can confirm this in the morning'.

Action 9 - Confirm if Boiler K8 was operational at the time of the CO ELV exceedance

23/09/24. Please do so by 31/01/25.

Emission Point A28 (WESP 32)

Quarterly, emissions testing identified that formaldehyde exceeded the ELV with a result of 10.2 mg/m³ versus an ELV of 5 mg/m³. All other parameters were compliant.

This is a breach of permit condition 3.1.2 and each ELV exceedance attracts a non-compliance score of C3.

Kronospan did not submit a Schedule 5 notification for the above but later did so 17/12/24 following a request from NRW.

Kronospan reported that 'Investigations into the high result has not provided any root cause determination for appropriate measures to be implemented to prevent a recurrence of this incident. Process conditions (including resin / wood consumption, flow rates, batch timings, production output, and energy usage) and process records (including handover records, shift reports, maintenance logs) were reviewed for the monitoring period and compared to those records available for previous monitoring periods. No discernible difference could be found between process conditions at the time of Q3 monitoring to those of previous, compliant monitoring periods'.

Kronospan also provided the Q4 compliance monitoring data that shows emissions were in compliance. The data will be reported in the Q4 return.

Emission Point A29 (MDF 2 Cyclones)

Quarterly, emissions testing was completed 22/07/24 and the data presented on the reporting form show that all emissions were in compliance with the permit.

Information supplied within Appendix 1 of the Schedule 5 notification submitted in response to the previous formaldehyde ELV exceedance at this emission point on 25/06/24 included an extract from the MCERTS test house (ATESTA) report for the 22/07/24 - the results of which have been reported for this Quarter. The formaldehyde emission data on the ATESTA report was in breach of the ELV at 22.8 mg/m³, whereas the reporting form for this quarter's returns states 14 mg/m³.

All other data from the ATESTA report have been copied across to the reporting form correctly. All other parameters were in compliance. The operator did not submit a Schedule 5 notification.

Action 10 – Provide an explanation as to why the formaldehyde result at A29 on the Q3 reporting form does not match the ATESTA data on 22/07/24. Please do so by 31/01/25.

Annual emissions testing is due next quarter.

Emission Point A30 (MDF 1 Cyclones)

Quarterly and annual emissions testing was completed 27, 28 and 29 August and identified

that emissions were in compliance.

Action 10 – Provide NRW with a copy of the MCERTS test house report for emissions testing at A30 on 27, 28, and 29 August 2024 by 31/01/25.

Emission Point A31 (Press Abatement)

Emission point not in use this quarter.

Emission Point A32 (WESP 21)

Quarterly, emissions testing was completed 02/09/24 and identified that emissions were in compliance.

HCL emissions were low in comparison to the previous quarter.

2.1 Emissions to Surface Water

Emission Point E1

No discharges reported during the reporting period.

Emission Point W1

Emissions testing identified that emissions were in compliance throughout the monitoring period.

2.2 K7 & K8 Incinerator Bottom Ash (IBA) and Air Pollution Control Residues

Analysis reports were provided as required.

K8 and K7 Biomass Boiler IBA Loss On Ignition <5% (Compliant)

IBA data for 2023 and 2024 may be subject to further review by NRW.

3.0 Notifications

Permit condition 4.3.1 requires that Natural Resources Wales shall be notified without delay following the detection of: (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution; (b) the breach of a limit specified in the permit; or (c) any significant adverse environmental effects.

As detailed in this report, Schedule 5 notifications have either been received late or not at all for some ELV exceedances during Quarter 2 and 3 2024.

This is a breach of permit condition 4.3.1 and attracts a non-compliance score of C3 (once for each quarter).

Action 11 – Take steps to ensure the requirements of permit condition 4.3.2 are met, to include a review of procedures and staff training. Provide NRW with a summary of the steps you have taken to prevent further non-compliance with this condition. Please do so by 31/01/25.

4.0 Improvement Condition 53 (IC53)

On 29/11/24 Kronospan provided an update and revised timescales for the implementation of the requirements of IC53 as previously accepted by NRW in Compliance Assessment Report reference CAR_NRW0043736.

The revised timescales are accepted and progress will be monitored via a future site inspection.

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.