

## Compliance Assessment Report CAR\_NRW0045964

**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:** Site Inspection,

**Reason:** Routine.

**On:** 31/12/2024 between 10:00 and 14:00.

**Parts of permit assessed:** Various.

**NRW Lead Officer:** Stuart Ross, accompanied by Paul Challender.

**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
IR1A - Installations - Management - General Management	C3 Minor	1.1
IR3A(3) - Installations - Emissions and monitoring - Emissions to land	C3 Minor	3.1.1
IR2C - Installations - Operations - Operating techniques	C3 Minor	2.3.6

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

Total non-compliances recorded	Total non-compliance score
3	12

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	Action 1 - an investigation into the root causes of dust releases must be conducted and steps taken to prevent a recurrence. The findings and associated actions shall be reported to NRW by 14/02/25. Action 2 - an investigation into the root cause the failure to identify and act upon the dust releases shall be conducted	14/02/2025

Criteria	Action needed	Complete by
	and steps taken to prevent recurrence. The findings and associated actions shall be reported to NRW by 14/02/25.	
IR3A(3)	<p>Action 3 - If not already, take immediate steps to prevent IBA leachate runoff to ground. This will be inspected by NRW.</p> <p>Action 4 - Kronospan to submit an action plan with associated timescales for completion to NRW with the steps it will take to store IBA and APC residues in a manner that prevents the contamination of land, ground and surface waters. Please do so by 14/02/25.</p>	14/02/2025
IR2C	<p>Action 5 - Only the waste types specified in Schedule 2, Table S2.2 shall be combusted in boiler K7.</p> <p>Action 6 - complete an investigation into the root cause of non permitted waste being introduced to boiler K7 and take steps taken to prevent a recurrence. The findings and associated actions shall be reported to NRW by 14/02/25.</p>	14/02/2025

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.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

### 4. Details of our assessment

This Compliance Assessment Report (CAR) has been raised by the Natural Resources Wales (NRW) regulating officers to report on the findings of an unannounced site inspection at the installation 31/12/24.

An initial written summary of findings were shared with the operator 02/01/24 and further discussed during a site meeting 08/01/25.

This inspection was primarily aimed at checking housekeeping standards (dust) in production areas and the log yard. Following the October 2024 dust audit officers also included a check on the melamine and Kronoplus filter boxes.

Prior to the inspection officers assessed dust, odour and noise off site with no significant issues identified. A mild wood type odour was noted on Holyhead Road near the entrance to Lodgevale.

#### **Findings**

**1) Dust**

Wood dust was present on the yard and on elevated metal work around the K7 fuel silos and appeared to have fallen from above.

In an adjacent area, a fine dry wood dust, several inches deep in places, was present on the yard around the dryer 4 fuel handling system. It appeared the dust may have been released during the removal of a blockage and not subsequently cleaned up.

It became apparent that the cause of the spills was unknown to site operatives and no action appeared to have been taken to address the issues or initiate a clean up. This is despite Kronospan operatives being observed in the area including tyre tracks being evident in the dust itself.

It was apparent that neither the chipboard or K7 boiler departments were checking this component of the boiler 4 fuel system during their Operational Performance Checks (OPC) and there was confusion as to which department was responsible for it.

In summary, as far as it could be determined at the time, operatives were not aware of the above issues or taking steps to address them.

The dust spill around the K7 silos was substantially cleaned up during the inspection. Clean up of the dryer 4 dust was completed shortly after and photographs of both areas subsequently supplied to NRW to evidence this.

Whilst no dust was being released from this area at the time of the inspection, NRW considers that inadequate procedures are in place to identify and act upon abnormal operation of plant to minimise the risk of pollution.

This is a breach of permit condition 1.1. and attracts a non-compliance score of C3.

**Action 1** - an investigation into the root causes of dust releases must be conducted and steps taken to prevent a recurrence. The findings and associated actions shall be reported to NRW by 14/02/25.

**Action 2** - an investigation into the root cause the failure to identify and act upon the dust releases shall be conducted and steps taken to prevent recurrence. The findings and associated actions shall be reported to NRW by 14/02/25.

**2) Incinerator Bottom Ash (IBA) Storage**

IBA (hazardous waste) is stored in a partially covered bay. A small quantity of leachate was evident draining from the bay, before pooling. A small quantity of leachate was evident draining onto the log yard/railway siding which in the opinion of NRW Officers is not an impermeable surface.

It is understood that IBA is quenched and therefore damp, as the IBA within the bay was only partially covered rainwater could potentially generate further leachate. There is no sealed drainage system in place to collect leachate.

This is a breach of permit condition 3.1.1 'There shall be no point source emissions to air, water or land except from the sources and emissions points listed in Schedule 3 tables S3.1,

S3.2, S3.3, S3.4, S3.5 & S3.6'. This attracts a non compliance score of C3.

There was also a quantity of APC residues stored in the open within one tonne tote bags that may similarly be at risk (albeit much lower) from water ingress and leachate generation.

On 08/01/25 the operator reported that the ponded leachate had been collected in an IBC for disposal.

The storage of these wastes should take place on an impermeable surface, if leachate may be generated from the waste this should be collected in a sealed drainage system for disposal. Where open outdoor storage is used measures are also required to prevent wind blown dust, for example during dry weather conditions. The application of water to waste materials and surfaces should be controlled in order to minimise the quantity of leachate and surface water that requires management.

**Action 3** - If not already, take immediate steps to prevent IBA leachate runoff to ground. This will be inspected by NRW.

**Action 4** - Kronospan to submit an action plan with associated timescales for completion to NRW with the steps it will take to store IBA and APC residues in a manner that prevents the contamination of land, ground and surface waters. Please do so by 14/02/25.

### 3) K7 Biomass Boiler Fuel Composition

Waste wood was reportedly being transferred from K8 to K7 via a loading shovel due to the K8 fuel silos being full.

It was observed that the wood fuel mix in the K7 fuel reception bay (as received from K8), consisted of wood fibre and wood particles, this was contaminated with plastic film that is not authorised for use in K7.

This is a breach of permit condition 2.3.6 and attracts a non-compliance score of C3 for the presence of unauthorised material in the K7 fuel.

NRW intends to complete an audit of the implementation of procedure KC/LOGY/PRO/0008 and how waste wood inputs into K7 are managed to ensure they meet the permit and Chapter IV exempt waste biomass criteria.

Therefore further compliance scores may be raised in light of NRW's findings, including those related to the Environmental Management System.

**Action 5** - Only the waste types specified in Schedule 2, Table S2.2 shall be combusted in boiler K7.

**Action 6** - complete an investigation into the root cause of non permitted waste being introduced to boiler K7 and take steps taken to prevent a recurrence. The findings and associated actions shall be reported to NRW by 14/02/25.

### 4) Filter Boxes

The melamine filter boxes were inspected from the platform and no issues were noted. Dust on the roof below the filter boxes as observed during the October audit had been cleaned up.

No issues were noted at the Kronoplus filter boxes.

#### **5) Lagoon outlet (W1)**

The outlet was inspected – no discharge occurring.

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](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.