

## Compliance Assessment Report CAR\_NRW0046536

**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:** Incident Response (Incident number 2502201).

**On:** 04/03/2025 between 15:20 and 17:05.

**Parts of permit assessed:** Emissions not Controlled by Emission Limits & Dust Management Plan.

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

**Report sent to:** Chris Emry, Director of Operations, on 21/03/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	Permit Condition 3.2.1
IR1A - Installations - Management - General Management	C3 Minor	Permit Condition 1.1.1

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

Total non-compliances recorded	Total non-compliance score
2	8

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
IR3B	Action 1: Implement long term suitable dust abatement technologies to appropriately control dust emission from the unloading of RCF. Rereview procedures and train staff for the implemented long term dust abatement. Submit evidence of infrastructure improvements and procedural changes to NRW.	31/05/2025

Criteria	Action needed	Complete by
IR1A	Action 2: Continue to implement the suite of short term mitigation measures as discussed. Ensure staff training and compliance with requirements of the EMS and DMP. Rewrite and review RCF receipt procedures for dust control in light of short term abatement changes and submit to NRW.	11/04/2025

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 to to discuss the unannounced off site and on site assessment, and inspection of Kronospan dust emissions.

Paul Challender and Stuart Ross the regulating officers for the Kronospan site, attended Chirk at 1310 hrs on Tuesday 4<sup>th</sup> March 2025 and conducted prolonged off site observations from various off site observation points. During these observations wood delivery and handling operations, along with general vehicle movements were witnessed to be generating dusts that had the potential to leave the permitted boundary of the installation. On the day of the inspection the weather was dry with a south westerly wind.

The NRW officers entered the site at 1520 hrs and proceeded to the log yard to observe operations and discuss procedures with members of the environment team, the production director and the log yard manager. En route to the log yard remedial works on the silos in the preproduction area were witnessed including the use of a third party mobile Disab vacuumation unit. Disab tipping operations were observed and were conducted in a manner that did not liberate dust.

On entering the log yard it was apparent that the log yard in general was very dry and vehicle movements were generating dust. Observations included the tipping of waste wood from walking floor HGVs into the RCF storage area. This operation was a dusty operation with settling material including wood dust and wood fibre of a short length. The sprinklers at the RCF storage area did not reach the tipping area to enable effective dust suppression. The on site bowser was not in use at the time and the dry surfaces in the log yard indicated that it had not damped down for some time.

Dust management procedures were discussed with site staff.

A further covered tipping area was viewed during the deposit of material from loading shovels. Wet abatement was in use at the time. Two "mist air" misters were operating on a stated 60 second intermittent cycle and a "rain gun" is mounted to the top left to the entrance

façade. The rain gun unit however, was ineffective as the sprinkler component was broken and had not been fixed; it was effectively operating as a discharging hose. The log yard manager informed the regulating officers that he had reported the issue via the appropriate channels. The log yard manager also stated that although the item of equipment resided in the log yard that it was within the remit of preproduction and that they should be acting upon the submitted report.

The Dust Management Plan (DMP) states *"During periods of dry, warm weather the site employs a water bowser to dampen the site transport routes down to prevent the generation of dust from vehicle movements. This is performed by employees within the Site Services Team that are under the supervision of the EHS Manager."* the log yard surfaces, however, were dry. If the bowser had been utilised on the day of the inspection it had not been used sufficiently to effectively dampen to mitigate dust emission.

Furthermore the DMP states *"Water suppression systems are utilised across site at various locations, details of these are provided in Appendix B."* Although the water suppression systems at the receipt area on the log yard were permanently operational, their coverage was insufficient to abate dust emissions during unloading operations.

Additionally, the DMP points to the Environmental Management System (EMS) document KC/LOGY/PRO/0003 – Procedure for Recycled Timber Control. Point 4 states *"Unloading. Once unloaded, the driver cleans and remaining residues off the vehicle in the designated sweep off areas to minimise nuisance on external roadways. Only then may the vehicle leave via the Weighbridge where a net delivered weight is calculated."*, abatement and mitigation of dust control during unloading is not proceduralised in this document.

This was a period of dry weather and the issues above represent failures of the EMS, the associated DMP and management controls. These issues have generated non compliance scores as discussed below.

The operator was required to implement a short term dust control action plan by Friday 7th March 2025 and implement short term mitigation solutions. Furthermore, the operator was required to investigate and implement long term solutions. The short term action plan was received as required. The issues above have attracted the following compliance scores:

**Score:** IR3B - Emissions of substances not controlled by emission limits. Permit Condition 3.2.1. Score C3.

**Action 1:** Implement long term suitable dust abatement technologies to appropriately control dust emission from the unloading of RCF. Rereview procedures and train staff for the implemented long term dust abatement. Submit evidence of infrastructure improvements and procedural changes to NRW.

**Score:** IR1A - General management. Permit Condition 1.1.1. Score C3.

**Action 2:** Continue to implement the suite of short term mitigation measures as discussed. Ensure staff training and compliance with requirements of the EMS and DMP. Rewrite and review RCF receipt procedures for dust control in light of short term abatement changes and submit to NRW.

**NB:** continued failure to appropriately control potential dust emission from these activities will attract further compliance and/or enforcement outcomes.

Paul Challender returned to the site on Thursday 13th March 2025 to assess the implementation of the short term mitigations described in the short term action plan. Delivery operations were observed in both RCF receipt areas. In the deposit building the rain gun was non-operational and was awaiting repairs. Alterations had been made to the mist air unit on/off cycles. In the open air RCF receipt area a moveable "typhoon" mist air cannon had been positioned to cover the eastern flank of delivery vehicles with a further typhoon planned for the western delivery flank. The western delivery flank was however, abated by a newly installed rain gun. This rain gun also had the benefit of wetting the log yard impermeable surface and was naturally tracked by vehicle movements to damp surfaces in the vicinity of the RCF receipt area. The implemented short term mitigations appear to be suppressing dust in the observed weather conditions for walking floor HGVs; the unloading of a curtain sided HGV was not observed during the inspection.

Further permanent abatement methods and infrastructure challenges were discussed and the operator indicated that a suitable appraisal of the available options were being considered.

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.