

## Compliance Assessment Report CAR\_NRW0049475

**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:** Other.

**On:** 25/09/2025.

**Parts of permit assessed:** Improvement Condition - IC 40.

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

**Report sent to:** EHS Manager, EHS Manager, on 05/11/2025.

### 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	1.1.1
IR2E - Installations - Operations - Improvement programme	C3 Minor	2.4.1

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
IR1A	see text below	31/01/2026
IR2E	see text below	31/01/2026

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 to assess the recent improvement condition (IC) submission for noise management against IC40 and the actions raised in previous CAR forms relating to noise control and IC40 namely; CAR\_NRW0040857, CAR\_NRW0042050 and CAR\_NRW0042962.

*NRW does not consider the submission sufficient to satisfy the requirements of IC40.*

The now submitted Noise Impact Assessment (NIA) is deemed suitable for the IC. The Best Available Techniques (BAT) assessment is deemed suitable. The Noise Management Plan (NMP) should have been informed by this NIA and BAT assessment. In addition, the NMP should have been reviewed and resubmitted in light of the new NIA and revised BAT assessment. Furthermore, the NMP should have been rewritten to address all actions raised in CAR\_NRW0042962. The tonal analysis requirement has not been completed.

Previous CAR forms were explicit in the requirements of this already delayed submission. The operator does not give enough priority to this work with regard to staff resources and their time. Management control has allowed slippage of this work to occur which has resulted in an incomplete submission. A C3 compliance score has been applied for lack of management control to manage the improvement condition programme since NRW became the sole regulator. It should be noted that at the time of writing the operator Kronospan, is still receiving noise complaints from the local population.

**Score:** IR1A – General Management. Permit Condition 1.1.1. Compliance Score C3.

**Action 1:** Resources should be made available in order to comply with the ICs within the permit.

**1. Improvement Condition 40 (IC40)**

*'The Operator shall update and submit the written Noise Management Plan describing the operating techniques employed. The noise management plan shall be structured in line with the Environment Agency online guidance "Noise and Vibration Management: Environmental Permits" and shall also address the delivery of all relevant Production of Wood-based Panels BAT Conclusions. The written report will be incorporated into Table S1.2 of this permit as existing operating techniques. NB: The response to this IC should have consideration of comments made by WCBC in letter dated 8/06/2022'.*

For ease of reference, the Wrexham County Borough Council (WCBC) comments are as follows.

*'Environmental Health have recently completed a review of night time noise data recorded from an outdoor noise monitor situated in 2 resident's gardens and this indicates night-time noise impact from the Kronospan facility. Additionally, a review of noise reports carried out for Kronospan also indicates that there has been an increase in night-time environmental levels between 2016 and 2021, particularly at Maes Y Waun and Shepherds Lane.*

*As a result, Public Protection would recommend that a detailed acoustic survey (using narrow band frequency analysis and noise cameras) be carried out during the night to determine which specific pieces of plant and equipment are contributing to the night-time noise climate in Chirk. It is recommended that this survey be required as part of Kronospan's Noise Management Plan detailed in the consolidated environmental permit (NRW IC40).'*

## **2. Noise Management Plan Review**

A Noise Management Plan (NMP) was not submitted within the recent submission received from the Environment, Health & Safety (EHS) Manager via email on 31st July 2025, therefore, no review has taken place.

The previous CAR form CAR\_NRW0042962, contained the following statement:

*'the NMP should be informed by a suitable Noise Impact Assessment (NIA) performed by suitably qualified and experienced persons (SQEPs) which should in turn inform a Best Available Techniques (BAT) assessment and then the NMP. An NIA has not yet been conducted.'*

As an NIA has now been generated, the NIA should have informed the BAT assessment and in turn the NMP. Furthermore, CAR\_NRW0042962 contained specific actions with regard to the NMP which have not been addressed.

**Score:** IR2E – Improvement Programme. Permit Condition 2.4.1. Compliance Score C3.

**Action 2:** Complete all NMP actions listed in CAR\_NRW0042962 and update the NMP. Review and update NMP in light of the NIA and revised BAT assessment. Submit the revised NMP to NRW by 31/01/2026.

## **3. Tonal Analysis**

CAR\_NRW0042962 identified that the NIA stated in *Section 5.2.1 Specific requirements* that the twice monthly monitoring conducted by the EHS team is being utilised to satisfy the requirements of the Wrexham County Borough Council (WCBC) letter dated 08/06/22.

CAR\_NRW0042962 further noted that NRW did not consider the Kronospan EHS team members SQEP to fulfil the intentions of this letter. In addition, requirements of the WCBC letter must be conducted by SQEP personnel including noise survey and data interpretation. The CAR form required Kronospan in an action to ensure that the requirements of the WCBC letter dated 08/06/22 were covered in the imminent NIA.

The NIA CJA4831/23241/Rev 2 contains *Section 5.3 Tonal Analysis of Environmental Noise*. As shown in Section 5.3, the consultant has performed a tonal analysis in the style of

BS 4142 i.e. to identify prominent tones for the purpose of quantitatively applying tonal penalties to inform a robust calculation of the rating level. This was not the intention of the WCBC letter and therefore this work does not satisfy this portion of the IC.

The WCBC letter required tonal analysis "*to determine which specific pieces of plant and equipment are contributing to the night-time noise climate in Chirk.*". NRW is content with the offsite work presented in that SQEP personnel conducted the work, appropriate calibrated sound level meters (SLMs) were utilised, the analysis of data was conducted in an identifiable software package with an appropriate standard and resolution. The offsite work, however, was not utilised to identify the items of Kronospan plant and equipment that may be causing these tones.

This tonal analysis should assist you to identify noise emitting items of plant and thus inform the prioritisation of your BAT compliance work.

As such the tonal analysis component of IC40 is not deemed complete.

**Score:** IR2E – Improvement Programme. Permit Condition 2.4.1. Compliance Score C3 (Consolidated).

**Action 3:** Conduct an acoustic assessment to match tones identified offsite to items of Kronospan plant (the operator may also include evidence that offsite tones are generated from a non-Kronospan source if and when appropriate).

#### **4. BAT Assessment**

The operator has submitted two sources of information relating to BAT, Section 10 of CJA4831/23241/Rev 2 and a spreadsheet entitled Appendix D Kronospan Noise Register\_V2.xlsx.

BAT, Section 10 of CJA4831/23241/Rev 2 identifies the Kronoplus Filtration Plant, Plastics Roof Fan Platform and Pre-screening as prominent noises sources that should be considered for noise reduction in line with BAT principles.

On opening Appendix D Kronospan Noise Register\_V2.xlsx the document is given the title *Noise Register*, the document ref *KC/EHS/DOC/30*, version number 2 and is dated 31/07/25.

The document lists the BAT conclusions from the following BREFs Wood Based Panels, Common Waste Water & Waste Gas Treatment/Management Systems and, Waste Incineration. Areas of the site are allocated to a BREF document and then individual items of plant are assessed by sound pressure level, acoustic character, ranked, potential improvements identified and relevant BAT conclusions are listed.

NRW is satisfied with the BAT assessment portion of the submission. The Operator is, however, reminded that this document forms part of their ongoing work to prevent and minimise noise emission in line with BAT principles. Therefore, NRW expects to be provided with evidence going forward of noise prevention and minimisation assessments and works.

*NB: NRW's acceptance of a completed BAT assessment at the time of writing does not equate to the regulator accepting that all noise assets meet BAT requirements.*

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.