Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0036054

This form will report compliance with your permit as determined by an NRW officer					
Site	Broughton Aircraft Factory EPR/BM3965IA	Permit Ref	BM3965IA		
Operator/Permit holder	Airbus UK Ltd				
Regime	Installations				
Date of assessment	26/11/2019	Time in	10:00	Out	16:30
Assessment type	Site Inspection				
Parts of the permit assessed	Containment Audit				
Lead officer's name	Kelk, Matthew				
Accompanied by	Rees-Jones, Jenny				
Recipient's name/position	Aled Zachary/ Environment Officer	Date issued	12/02/2020		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D2 - Incident Management - Accidents, emergency and incident planning	A	
E1 - Emissions - Air	C4	3.1.2
E5 - Emissions - Waste	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	
H1 - Resource Efficiency - Efficient use of raw materials	A	
H2 - Resource Efficiency - Energy efficiency	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	0.1

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

A containment audit was carried out by Senior Industry and Waste Regulatory Officers (Industry Regulation Team) Matthew Kelk and Jenny Rees Jones on the 26 November 2019.

Claire Powell (CP) and Aled Zachary (AZ) were present for Airbus.

Prior to the audit, an overview of the EMS objectives and targets was given.

A reduction in water use has been highlighted by Airbus as one of their environmental targets. Airbus plan to achieve this is by recycling water from their Effluent Treatment Plant (ETP) to make a closed loop system, with the main waste product being residual sludge. This will involve variation to the permit.

Containment

The Incident Manual (CPR7020) contains an inventory of substances stored on the site. AZ highlighted that this needed to be revised in the light of reduction in the volume of Chromic Acid stored on site.The location of each hazardous substance is included within this manual. The incident manual details hazardous substances have be provided with secondary containment, detailing the 110% rule and not to store near watercourse.

HAZMAP database of all hazardous substances stored on site, and contains the MSDS and COSHH data, as well as quantities stored.

A source - pathway - receptor assessment is not carried out for each individual substance here, but is managed by a higher level instruction.

Each department carried out a daily "go, look, see". The environment team also carry out compliance checks.

Discussions were held where all bulk chemicals stored, bulk treatment, chemical store (K and N), SMC chemical store, LCM chemical store. All areas were visited during the site walk around and containment appeared fir for purpose.Containment on site is part of the planned preventative maintenance.

Prior to the audit, AZ had produced a document entitled Oil Storage Compliance Check.

Sprinkler House number 1, fuel store for backup generator has been identified as a potential non-compliance by AZ in the above Compliance Check. The double skinned tank contains kerosene. The tank is close to a drain and pipework from the tank into the building is over a gravelled area close to the drain. Double skinned tanks without secondary containment do not provide adequate containment in the event of overfilling for example.

An inspection was completed of the waste cutting fluid and tramp oil tank next to the Stringer Manufacturing Centre, source of the 13 May 2019 spillage incident. The incident investigation identified that the level sensor had been faulty, and also that it had initially been assumed that the nearby drains lead to a sealed sump rather than to the drainage system. A high level sensor has now been fitted that switches off the milling machine once the contents of the tank reach a set level. The tank will become redundant once the manufacture of the A380 wing ceases. During the audit we discussed that it would be beneficial to provide further protection for surface water drains as an interim measure whilst the tank is still in use.

Action

To provide action plan containment of Kerosene Tank and provide further update on Tramp Oil Tank and whether this will be mothballed now A380 manufacture has ceased. To be forwarded to NRW by 11 March 2020

Emissions Air/Annual Returns

Condition 3.2.1 The limits given in schedule 3 shall not be exceeded.

Emissions to air data for all CHP plant on site reviewed, marginal breach of NOx emission limit value (ELV) for emission point CHP-A3 202.11 vs 200 ELV,

breach of condition 3.1.2, scored one category 3 score

Annual returns reviewed - no issues with submitted data.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0036054**

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Site	Broughton Aircraft Factory EPR/BM3965IA	Permit Ref	BM3965IA
Operator/Permit holder	Airbus UK Ltd	Date	26/11/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	**CCS Category**	**Action required/advised**	**Due Date**
See Section 1 above			
E1	C4	See text for details.	11/03/2020

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.