

Compliance Assessment Report CAR_NRW0038659

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 carried out: Audit, Reason: Routine.

On 29/06/2021 between 10:00 and 16:00.

Parts of permit assessed: SEE NOTES

NRW Lead Officer: Emma Pierce, accompanied by Stuart Ross.

Report sent to: Env, H&S Manager, Env, H&S Manager on 27/08/2021.

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

| Part of permitted activity assessed (criteria) | Assessment result | Permit condition |
|--|-------------------|------------------|
| A1 - Specified by permit | C4 No impact | 3.5.3 |

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

| Total number of non-compliances recorded | Total non-compliance score |
|--|----------------------------|
| 1 | 0.1 |

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 |
|----------|---------------|-------------|
| A1 | See Notes | 30/09/2021 |

Action 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.

At this time, we do not intend to take any further action.

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 is in relation to the Water OMA (Operating Monitoring Assessment) Audit carried out on the 29th June 2021.

Kronospan have a system in place to ensure the requirements for water monitoring as set out in their permit conditions are met and achieved, to ensure these are adequate

Kronospan needs to address the below actions, to be submitted to NRW for approval.

Flow (OMA3)

For continuous monitoring systems on site, the current flow meter is not Mcert certified. Condition 3.5.3 of the permit states:

Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme....shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by Natural Resources Wales.

As a result of the flow meter not being Mcert certified this is a breach of condition 3.5.3 and is a **CCS 4 non-compliance which has no potential environmental impact**.

ACTION:

Submit a formal report providing evidence and supporting information on the below points, to allow NRW to review the current flow meter in place and decide on whether it is fit for purpose.

- Demonstrate the flow measurement level of uncertainty - is within the required range (8%)
- Provide evidence that the current flow meter is installed correctly against manufacturer's instructions/guidance.
- Evidence that the current flow meter meets or exceeds the requirements of the Environment Agency's MCERTs: Minimum Requirements for the self-monitoring of flow.
- Maintenance schedules for the current flow meter.

Standards of Methods (OMA2C)

1. Kronospan to review and provide report to NRW to demonstrate that the methods used in-house are as listed in the permit. The method should be approved as listed in 'Monitoring discharges to water: CEN and ISO monitoring methods' or 'Monitoring discharges to water: alternative monitoring methods'
2. A procedure to check for updates and changes to standard methods should be in force. Major change, for example, a new instrument, should trigger a review.
3. Kronospan to provide evidence that the methods are appropriate for the analysis undertaken

AQC (OMA4)

Kronospan to investigate, assess and propose means to ensure a quality control procedure is in place for monitoring of water.

1. Send regular comparison samples to an Mcert or UKAS accredited laboratory. This will provide external validation of in-house analysis.
2. AQC charts for all analytical methods, and a documented procedure for investigation of failures
3. It would be beneficial for a member of the Env, H&S team to undertake Mcerts awareness training in relation to monitoring water
4. Investigate accrediting in-house lab to UKAS EN ISO/IEC 17025

Please provide the above by the 30th September 2021

The OMA Water Report provides more detailed notes and recommendations in each OMA element for Kronospan to consider.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.