

Compliance Assessment Report

Report ID:
CAR_NRW0031710

This form will report compliance with your permit as determined by an NRW officer

Site	Enersys Newport	Permit Ref	NP3030BJ		
Operator/Permit holder	Enersys Ltd				
Regime	Installations				
Date of assessment	24/05/2017	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Groundwater Monitoring Report 2017				
Lead officer's name	Green, Rebecca				
Accompanied by					
Recipient's name/position	Paula Terrett/ Environment, Health & Safety Advisor	Date issued	08/06/2017		

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
A1 - Specified by permit	A	
C2 - General Management - Management system and operating procedures	A	
E2 - Emissions - Land and groundwater	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	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

The Groundwater Monitoring Report, May 2017, was received on 24th May 2017.

Samples were taken from various boreholes (BH) around the EnerSys site and analysed for pH, lead (Pb), sulphates and hydrocarbons.

Pb concentrations in three samples were higher than the environmental quality standard (EQS).

Total petroleum hydrocarbons (TPH) were significantly higher in two BH.

Sulphates appear to be rising in one BH.

pH appears to be falling in one BH and rising in another.

The very high Pb concentrations seen in BH3/12 in May 2016 have not been repeated, suggesting that these readings are likely to have been anomalies. The retest in December 2016 was less than the EQS.

The Pb concentration in BH1 is higher than the EQS and higher than that in December 2016, but does not show any obvious trend. The TPH concentration is less than in December 2016.

The TPH concentrations in BH3/12 are less than in December 2016.

Pb in BH4 is above the EQS, higher than in May 2016 and is showing a tendency to increase.

The TPH in BH6 is much higher than in May 2016. The Pb concentration is higher than in May 2016 but less than the EQS, with no obvious trend. The pH appears to be decreasing.

The results for BH8 are similar to those for BH6, except for the falling pH. Sulphate is rising in BH8 and the TPH concentration is higher than in May 2016.

pH and Pb concentration are both rising in BH9. TPH and Pb concentrations are both lower than in December 2016, but the Pb concentration is above the EQS.

TPH is falling in BH10; the Pb concentration is higher than in May 2016 but still less than the EQS.

BH11 has a much higher TPH concentration than in May 2016 and the second highest reading from this BH. The Pb concentration is less than the EQS and less than in May 2016, but appears to be rising slightly.

BH1, 4 and 9 all show elevated Pb concentrations. They appear to run along the line of the foul sewer to west of the site. A survey of the drains in this area may prove worthwhile to determine their condition. The high TPH readings in BH6 and 11 and the trend of rising sulphate concentrations in BH8 also merit further investigation.

END.

EPR Compliance Assessment Report

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Operator/Permit holder	Enersys Ltd	Date	24/05/2017

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			

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.