

Compliance Assessment Report

Report ID:
CAR_NRW0032011

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

Site	Flint Paper Mill EPR/BJ9703IM	Permit Ref	BJ9703IM
Operator/Permit holder	Kimberly-Clark Limited		
Regime	Installations		
Date of assessment	14/07/2017	Time in	10:00 Out 11:30
Assessment type	Audit		
Parts of the permit assessed	Improvement conditions IC1,2 and 3, notifications and reporting, emissions to water and air		
Lead officer's name	McGregor-Andrew, Sian		
Accompanied by			
Recipient's name/position	Jan Partridge/ Site Process Engineer Environment and Quality	Date issued	15/08/2017

Section 1 – Compliance Assessment Summary

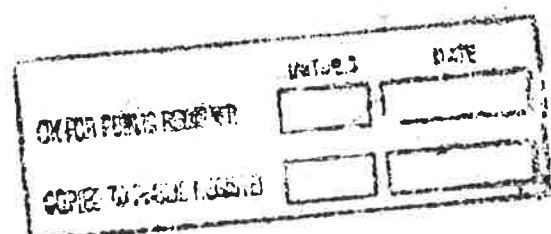
This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take 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	X	
E1 - Emissions - Air	A	
E2 - Emissions - Land and groundwater	C3	Condition 3.1.1
E3 - Emissions - Surface water	C3	Condition 3.1.2
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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

Monitoring returns:

Q1 (Jan-Mar 2017) report for emission to water was received on 27/04/2017. All parameters required by condition 3.3.1 were monitored and the results were within the limits specified in condition 3.1.2 and Table S3.2 of the permit.

Q2 (Apr-Jun 2017) reports for emissions to air and water were received on 26/07/2017. All parameters required by condition 3.3.1 were monitored as required.

The maximum permitted limit for ammonia is 4mg/l, on 09/06/2017 emission point W2 was reported to have exceeded the limit with a reported concentration of 5.25mg/l. A Part A notification was received for the emission breach on 12/06/2017 and the corresponding Part B notification received on 13/06/2017 confirming that the breach was due to an extended shut down of the tissue machine and that the effluent quality had returned to compliance by the time of the next discharge. Operational procedures relating to machine shut down have been amended to include consideration of the impact of changes in planned downtime on effluent quality.

Breach of Condition 3.1.2, exceedance of Schedule 3 limits, Category 3.

Notification of the breach of permitted limits was compliant with the requirements of condition 4.3.2

Treated effluent pipeline leak:

Following verbal notification of a suspected leak from the treated effluent pipeline to the ground a Part A notification was received on 08/05/17. CCTV surveys of the pipeline identified two small holes in the pipeline below ground. The leak was estimated to be between 1 and 2m³ per day to ground of final effluent. Specialist equipment was brought to site to make the repairs due to the position of the discharge pumps and pipeline. A large section was re-lined to prevent further leaks beneath this concreted area of the site and a CCTV camera survey of the pipe was carried out to the site boundary. Part B notification was submitted on 30/06/2017 confirming that the works had been completed on 29/06/2017.

Breach of Condition 3.1.1, point source emission from a point other than those listed in Schedule 3 of the permit, Category 3.

Notification of the breach of permit conditions was compliant with the requirements of condition 4.3.2

Improvement conditions:

IC1: Priority hazardous substances assessment.

Sample results have been provided and results presented using the H1 tool, however a number of substances have been highlighted as unacceptable by the H1 tool as a result of the commercially available LOD at MCERTS laboratories being too high. Enquiries have been made to try to find suitably accredited laboratories who can provide lower LODs, without success. It was agreed that a report pulling together the sample results, justifications for any highlighted substances not presenting a risk of being present on site or in the treated effluent, and confirmation of the enquiries made to laboratories so far would be submitted to provide justification why further modelling is not required.

Action: please provide the information for improvement condition 1 by 01/10/2017

IC2: Protocol for monitoring of soil and groundwater.

A copy of the revised Site Condition Report (Ref: 325036-R1 (02)) and a proposal for a new baseline soil and groundwater investigation has been submitted and comments will be provided separately following review.



EPR Compliance Assessment Report

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Operator/Permit holder	Kimberly-Clark Limited	Date	14/07/2017

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.

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			
A1	X	Provide additional information to complete improvement condition 1	01/10/2017
E3	C3	emission quality was returned to compliance within 24 hours, procedures for tissue machine shut down have been updated	14/08/2017
E2	C3	repairs completed 29/06/2017	14/08/2017

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.

