

Compliance Assessment Report

Report ID:
CAR_NRW0026657

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	08/12/2016	Time in	10:00	Out	11:00
Assessment type	Report/Data Review				
Parts of the permit assessed	Q3 monitoring data submission, IC1 and IC2				
Lead officer's name	McGregor-Andrew, Sian				
Accompanied by					
Recipient's name/position	Jan Partridge/ Site Process Engineer, Environment & Quality	Date issued	19/01/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
E3 - Infrastructure - Surface water	A	
G1 - Infrastructure - Monitoring of emissions and environment	A	
G4 - Infrastructure - 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

Q3 Monitoring Returns

Review of quarterly monitoring return for 1st July - 30th September 2016. Report received 18/10/2016.

Part A (17/10/16) and B (21/10/16) received promptly for lack of weekly BOD sample results for 29/09/16 and 05/10/16 as a result of the NLS courier losing the samples. Other parameters were monitored throughout the period and additional steps have been added to the site procedures to check that the courier has collected the scheduled samples and to confirm receipt at the NLS lab. BOD results since the missed samples are within permitted limits. Alternative testing solutions are being considered for the longer term.

As the lost sample taken on 29/09/16 was also the Q3 sample for AOx and PCP analysis it is agreed these results can be reported in Q4, rather than Q3 as normal.

All parameters are within permitted limits.

Improvement Conditions IC1 and IC2:

Thank you for the information submitted in relation to the two improvement conditions in Table S1.3 of the permit, which were received on 28/09/2016.

Following our site meeting on 08/12/2016 and subsequent email correspondence it is agreed that an additional review of the screening tests for Hazardous Priority Substances and Pollutants will be carried out as soon as possible and no later than 31/01/2017.

In addition to the baseline report and monitoring plan already submitted you will undertake additional work to ensure the requirements of the Industrial Emissions Directive guidance on the production of baseline reports are met. Please confirm the anticipated date for the updated plan to be produced as soon as possible, and no later than 31/01/2017.

OPRA spreadsheet and procedural updates:

Thank you for your email of 09/11/2016 providing an updated version of the OPRA spread sheet and the requested update on shut-down procedure updates.

As discussed in our meeting please review the 'EPR Installations Application Charge Calculation' section of the OPRA spread sheet, as the 'Emissions to Water' section has changed since the 2014 version as you confirmed that Pentachlorophenol (PCP) is no longer above the relevant threshold. The charges section needs to be cleared and calculations re-run to ensure the final OPRA charging bands are correct. Please re-submit the OPRA spread sheet by 31/01/2017.

Thank you for the update on your amended shut-down procedures for the ETP, I note that since April four shut-downs have taken place and the new procedure for ensuring nutrient pumps are turned off during short shut-downs and the requirements for denitrifying biomass availability for extended shut-downs have prevented any related breaches of Ammonia or TSS limits.

EPR Compliance Assessment Report

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Operator/Permit holder	Kimberly-Clark Limited	Date	08/12/2016

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.

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.