Cyfoeth Naturiol Cymru Natural Resources Wales	EPR Compliance Assessment Report	Report ID: BT4885IT/0222590

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

Site	Shotton Paper Mill			Permit Ref	BT4885IT	
Operator/ Permit holder	UPM-Kymmene UK Ltd					
Date	09/10/2014			Time in	10:00	Out 15:00
What parts of the permit were assessed	OMA audit of water emissions monitoring					
Assessment	Audit	EPR Activity:	Installation X	Waste Op	Water Discharge	
Recipient's name/position	P Walmsley					
Officer's name	Alison Soper, Beth Voice			Date issued	23/10/2014	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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				Condition(s) breached
a) Permitted activities	1. Specified by permit	N		
b) Infrastructure	1. Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	1. Staff competency/ training	N		
	2. Management system & operating procedures	A		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
d) Incident management	1. Site security	N		
	2. Accident, emergency & incident planning	N		
e) Emissions	1. Air	N		
	2. Land & Groundwater	N		
	3. Surface water	A		
	4. Sewer	N		
	5. Waste	N		
f) Amenity	1. Odour	N		
	2. Noise	N		
	3. Dust/fibres/particulates	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	C4		3.1.2
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	N		
h) Resource efficiency	1. Efficient use of raw materials	N		
	2. Energy	N		

KEY: C1, C2, C3, C4 = CCS breach category (*** suspended scores are marked with an asterisk**),
A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

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

If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

OMA audit for water emissions monitoring.

Full details are within the OMA audit report.

One permit breach was observed, the requirement to carry out analysis of duplicate samples where in-house analysis is used for compliance assessment purposes, as detailed in note 5 of Table S3.2. This had been raised previously and had been identified as an improvement item in the operator's response to Improvement Condition IC2. It is recorded as a Category 4 breach of Condition 3.1.2.

A number of recommendations are made in the audit report to ensure that sampling and analysis is carried out in accordance with current standards and guidelines.

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	X
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.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
G1	C4	Ensure duplicate analysis is put in place to cross-check in-house analysis	31/12/14

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 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 the officer's line managers. 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.

file copy

OMA Report – Discharges to Water – EPR

Cyfoeth Naturiol Cymru
Natural Resources Wales

Summary sheet			
Permit Number: EPR/BT4885IT/V011		Compliance Officer: Alison Soper / Beth Voice	
Operator: UPM Kymmene		Auditor (if different):	
Discharge point(s): W1		Others Present: Peter Walmsley, John Sanderson, Kevin Smith	
OMA Sections			SCORE
OMA 1 – Management of monitoring			92%
OMA 2 – Periodic monitoring and test laboratories			87%
OMA 3 – Continuous monitoring			98%
OMA 4 – Quality assurance			57%
		OVERALL SCORE	83%
OVERALL SITE ASSESSMENT COMMENTS			Letter Variation Enforcement

There is a well functioning management system on site with links to GMES to highlight possible compliance issues, instrument alarms and out of specification results. Calibration and maintenance schedules are adhered to using the SAP system and individuals undertaking the sampling and analysis are competent.

There are two fundamental elements lacking – a demonstration that the correct methods are being used, and quality assurance of the analysis.

Recommendations:

1. Ensure the contract with the external lab specifies all aspects from sample collection, handling and transportation to analytical methods and reporting. This should be formalised within an operating procedure.

2. Introduce procedures for quality control of in-house analysis, and external analysis of duplicate samples every six months as required by the permit.

3. Include monitoring in the audit schedule, both in-house and external aspects to ensure that all aspects continue to meet current standards.

4. Add the reporting schedule to the IMS

Date of audit: 09/10/14
Signed: AS
Date: 23/10/14

Cyfoeth Naturiol Cymru
Natural Resources Wales

OMA 1: Management of monitoring		
OMA ELEMENTS	**SCORE**	**COMMENTS**
A. Documentation of management system procedures for monitoring	4	No specification for handling and transport requirements in contract with external lab.
B. Organisational structure for monitoring	5	
C. Schedules and planning of monitoring, including contingencies	5	
D. Monitoring records and use of monitoring data	4	No control charts or data validation for test kit methods.
E. Understanding the requirements of the permit and monitoring methods	5	
OMA 1 – SCORE	23/25	

SUMMARY COMMENTS FOR OMA 1

There is a good integrated management system containing work instructions for site activities. These are available to all staff and are subject to regular review. Work Instruction "Monitoring the effluent plant" includes a sampling schedule for the effluent plant field operative; the testing schedule for in-house analysis and descriptions of the methods for TSS, COD, NH_4 and pH.

The contract with the external lab specifies that the analysis must be in-line with the permit requirements, but does not specify the methods to be used or transport requirements. Maintenance of the contract is understood as a responsibility of the Environment Manager and is not detailed in a procedure.

There is an organogram showing responsibilities relating to monitoring. There are sufficient resources to ensure that monitoring is carried out.

Schedules are within the IMS and available to all staff.

Monitoring records are used for process control and there are alarms on the CWMs with headroom for action to be taken. The external lab has an on-line facility to look at results and trends. Management routinely review results.

Two members of staff have attended an MCERTS awareness course and there is generally good understanding of the monitoring requirements. Most of those carrying out the sampling and analysis have been in post for a considerable length of time so have a high level of competence.

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OMA 2: Periodic monitoring and test laboratories		
OMA ELEMENTS	**SCORE**	**COMMENTS**
A. Sampling provisions *Critical Element*	4	Transport requirements are not specified in the contract with the external lab.
B. Certification of equipment	4	pH and temperature probes are not MCERTS.
C. Measurement methods and standards *Critical Element*	2	Not all external lab methods are UKAS. There is no QA on test kit methods. There is no routine review of methods against current standards.
D. Calibration methods *Critical element*	5	
E. Frequency of maintenance and calibration	5	
F. Reliability of equipment (data availability)	5	
G. Breakdown response	5	
H. Traceability	5	
OMA 2 – SCORE	35/40	

SUMMARY COMMENTS FOR OMA 2

All sampling facilities meet the requirements of M18. The autosampler was installed in 2013 and is MCERTS certified, as is the flow meter. The pH and temperature probes are not MCERTS, but will be upgraded as and when they need replacing.
Samples for on-site analysis are kept refrigerated, but there is no specification for this for those going to the external lab.

Although the contract with the external lab specifies that analysis should meet the permit requirements, there is no routine check to ensure that M18 methods are being used, or that they are in line with current standards. Not all the methods used by ESG were UKAS accredited. There is no QC on test kit methods used in-house.

Instruments are calibrated to at least the manufacturer's specifications. The schedule is within the SAP system and records are kept. Consumable spares are kept on site and on automatic re-order for re-stocking.

The equipment is very reliable with failure being rare. There is a good breakdown response with on-site maintenance technicians carrying out repairs wherever possible.

Equipment is calibrated to traceable standards.

OMA 3: Continuous monitoring		
OMA ELEMENTS	**SCORE**	**COMMENTS**
A. Provisions for monitoring and location of CWMs *Critical element*	5	
B. Certification of CWMs	4	pH and temperature probes are not MCERTS.
C. Measurement methods and standards *Critical element*	5	
D. Calibration methods *Critical element*	5	
E. Frequency of maintenance and calibration	5	
F. Reliability of equipment (data availability)	5	
G. Breakdown response	5	
H. Traceability	5	
OMA 3 – SCORE	39/40	

SUMMARY COMMENTS FOR OMA 3
The flow meter and autosampler are MCERTS equipment and comply with M18 requirements. The pH and temperature probes are not MCERTS currently, but are suitably calibrated and maintained.

OMA 4: Quality assurance		
OMA ELEMENTS	**SCORE**	**COMMENTS**
A. External quality control schemes	2	Not all the determinants are analysed using UKAS methods.
B. Internal data quality control	1	There is no quality control of in-house methods. The permit requirement to send duplicate samples for external analysis is not being met.
C. Competence of monitoring personnel	4	A competency sign off system is in place, but has not been rolled out to all staff.
D. Auditing of monitoring	3	Internal auditing is not specific to monitoring, other than for flow.
E. Audit compliance	4	Monitoring should be included as a specific item in the audit programme.
F. Reporting	3	Reports need to include uncertainty and method information. The schedule should be added to the IMS.
OMA 4 – SCORE	17/30	

SUMMARY COMMENTS FOR OMA 4

The external lab has UKAS accreditation for some, but not all the determinants.

There is no system of quality control on the analysis carried out on site. There is a requirement in the permit to send duplicate samples for external analysis where in-house analysis is used for compliance assessment purposes. This has not been carried out since the permit variation was issued in June 2012 and will be recorded as a breach of permit.

The sampling and analysis personnel have the appropriate level of experience and competency. The procedures include a system of competency assessment and sign off which is being rolled out to all relevant staff.

There is an audit programme within the IMS to meet the requirements of ISO14001. It covers the MCERTS requirements for the flow monitor, but does not include monitoring as a specific item. There is no audit of the monitoring methods to ensure that they are still current for in-house and external analysis.

The audit system is effective, but the monitoring aspects need to be added to it.

Reports from the external lab are available on-line and contain all relevant information. The site

Safety and Environment Coordinator keeps a schedule of when reports need to be submitted to NRW and coordinates the reports from the responsible individuals. This schedule should be within the IMS to be available as a controlled document to all staff. The reports are generally submitted on time, but do not always include uncertainty and method details.