

Compliance Assessment Report

Report ID:
CAR_NRW0026754

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

Site	Shotton Paper Mill EPR/BT4885IT		Permit Ref	BT4885IT	
Operator/Permit holder	UPM-Kymmene UK Ltd				
Regime	Installations				
Date of assessment	06/12/2016	Time in	10:00	Out	16:10
Assessment type	Site Inspection				
Parts of the permit assessed	All				
Lead officer's name	Kelk, Matthew				
Accompanied by	Ellis, Rhys				
Recipient's name/position	Andrew Bronnert/ Head of Energy and Operational Support	Date issued	03/04/2017		

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
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B4 - Infrastructure - Containment of stored materials	C3	3.2.3
B5 - Infrastructure - Plant and equipment	A	
C2 - Infrastructure - Management system and operating procedures	A	
C4 - Infrastructure - Storage, handling labelling and Segregation	A	
D2 - Infrastructure - accidents, emergency and incident planning	A	
E2 - Infrastructure - Land and groundwater	A	
E3 - Infrastructure - Surface water	A	
E5 - Infrastructure - Waste	A	
F1 - Infrastructure - Odour	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

An inspection was carried out by Natural Resources Wales (NRW), Industry Regulation Officers Matthew Kelk and Rhys Ellis on the 6 December 2016.

The following points were discussed during the inspection.

Improvement Condition 5

Further discussion has been held around the assessment for priority hazardous substances on site. UPM Shotton are using the H1 model to assess for metals. The Effluent Treatment Plant (ETP) is channelled to the Broken Bank Drain which discharges to the White Sands Gutter for 4 hours on the Ebb Tide and consequently to the River Dee.

Queries were held around whether the discharge point is classed as discharging to fresh or estuarine water. It was confirmed that due to the River Dee flooding the White Sands Gutter on the Ebb tide that this was classed as Estuarine.

Guidance suggests that 12 consecutive monitoring exercises should be undertaken to gather data for the modelling exercise. It was confirmed that the annual GCMS monitoring data could be used in the model and that it would be not be beneficial to gather 12 separate samples.

Issues have been flagged with the lab analysis for a number of priority hazardous substances, where the limit of detection (LOD) is higher than the environmental quality standard (EQS). UPM are to try and find a lab that can analyse to a lower LOD.

If a lab cannot be found that can analyse to lower LOD's in the first instance then alternatively UPM will need to provide evidence to NRW how that priority substance couldn't be detected within the ETP discharge effluent.

Condensing Turbine Installation

The new condensing turbine has been commissioned and is now operating. Noise monitoring has been carried out by the Utilities Manager and an assessment has been made of the noise levels with and without the turbine running. A 2dBA difference has been detected with the new turbine in operation. UPM during the inspection were requested to provide a report on the noise monitoring. This will ascertain whether this change can be carried out in accordance with a written agreement under Condition 2.3.1.

Action

To provide noise report to NRW by 23 January 2017

Fire Prevention Plan (FPP)

RPS consultancy have compiled a FPP for the waste wood area and The fire prevention plan work for the whole site is still on-going.

Ink Sludge, Bottom Ash and APC Residue Wastes

Further discussion was held around the waste classification of the Boiler 7 Bottom Ash. This is still classed as hazardous waste due to its pH content. This is sent to White Moss Landfill, a spread-sheet showing consignee returns numbers was shown.

For completeness UPM to send consignee returns for the following numbers:-

CAE/52576

CAE/52577

CAE/52578

Ink Sludge is now being taken to mainly two locations, UPM to provide annual waste transfer notes and carrier details for all transportation of ink sludge for the period 2015/2016 by 23 January 2017.

Containment and Risks to Controlled Waters

Condition 3.2.3

All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where not practicable, to minimise leakage and spillage from the primary container.

A brief overview was given of the containment risks highlighted under the sites Environmental Management System aspects register.

The main bulk tank facility was inspected during the walkover. The bulk tanks are bunded, outside the tank farm is sump system, this would catch any spillages during delivery of liquids. There were also several IBC's containing contaminated bund water stored in the area, using the sump system as secondary containment.

During the inspection the sump system was full of rainwater, reducing the sumps capacity to contain any spillage in the event of an incident.

Breach of permit condition 3.2.3, scored one category 3 score.

Action

UPM to review containment procedure to ensure that bunds and sumps are regularly emptied of rainwater. Review to be forwarded to NRW by 23 January 2017.

Advice and Guidance

On site some IBC's are being stored on a stacking system. A bund is at the bottom of this stacking system. UPM were questioned about the adequacy of this system as 'jetting of liquids' could occur from the failure of the primary containment at the top of the stacking system. This bunding system should be reviewed in accordance with guidance CIRIA C736 - Containment Systems for the Prevention of Pollution - Secondary, Tertiary and Other Measures for Industrial and Commercial Premises.

Further relevant guidance can be found in the Pollution Prevention Guidelines (PPG) on secondary containment by the Environment Agency available on website www.gov.uk.

Review to be forwarded to NRW by 23 January 2017.

EPR Compliance Assessment Report

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Operator/Permit holder	UPM-Kymmene UK Ltd	Date	06/12/2016

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.

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			
B4	C3	See text for details	23/01/2017

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.