

EPR Compliance Assessment Report

Report ID: BT4885IT/0235438

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	25/02/2015				Time in	10:00	Out	13:00
What parts of the permit were assessed	MRF Plant							
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op		Water Discharge	
Recipient's name/position	Geoff Edge / Andrew Bronnert							
Officer's name	Alison Soper, Louise Peel				Date issued	19/03/2015		

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	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	A	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	A	
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	A	
	2. Records of activity, site diary, journal & events	A	
	3. Maintenance records	N	
	4. Reporting & notification	A	
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	0	Total compliance score (see section 5 for scoring scheme)	0
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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.

Observations:

This was the first inspection of the MRF since the implementation of the amendment to the Environmental Permitting Regulations which introduced sampling requirements for incoming and outgoing materials. The October to December 2014 Waste Return was audited and checked for compliance. This is the first submission of this data and the purpose of the audit was to ascertain the sampling regime on site and to recommend any areas of improvement in an advice and guidance approach.

UPM had been carrying out sampling for quality control purposes, but had to alter some of the methods to meet the requirements of the new regulations. Further work is needed to refine the sampling frequency to meet the requirement of a sample for every 160T of incoming material from each supplier. The sampling regime is planned based on numbers of expected loads across a week, but as the planned may not match the actual in terms of weight the sampling frequency needs flexibility to change in order to maintain compliance. This is considered a non-compliance, but on this occasion a CCS (non-compliance) score has not been applied. Managing the frequency is expected to improve with time and will be checked during a future audit. The sample size has been larger than the regulations stipulate, 80kg against 60kg on average. This has the advantage of smoothing out the effects of heavier contraries, but does take more time to sort. Generally, 2 samples are taken of incoming material during the day shift and 1 at night, and they take between 30 and 45 minutes to sort by 6 pickers, depending on the quality.

The existing Quality Control (QC) procedures ensure that the incoming waste is checked before sorting. QC1 is a check on opening the vehicle that the material is what it should be before it's tipped; and QC2 is a visual check of the material after it is tipped looking for excessive contraries. QC3 is the sampling procedure as amended to meet the new regulations. There is a Work Instruction on the noticeboard in the sampling cabin explaining how the material should be sorted. The various streams are separated and weighed with the amounts being recorded. Glass and fine residue is collected at the end and separated into >12mm and <12mm. The correct methodology is used to assess the amount of contraries in it but UPM have observed that there appears to be a greater proportion of contamination in the fines than in the larger fraction. It is not possible to get a more accurate assessment of this contamination using the current sampling methodology.

An error was found with the number of samples of sorted ferrous and non-ferrous metal being taken. The operator is sampling metal every 50 tonnes instead of every 20 tonnes as required by the regulations. This is a non-compliance, but on this occasion a CCS score has not been applied. This is to be corrected immediately.

It is not possible to sample specific loads going to specific reprocessors so the data is allocated to them all on the reporting spreadsheet. The way it is presented could lead to incorrect data being used in NRW reports, so it might be better to present it proportionately against each reprocessor so that the totals are correct.

Contamination rates vary with the type of material as it is not cost effective to hand-sort ferrous

and HDPE.

Reports are sent to the suppliers about contaminant levels, but unless the contracts can be changed to penalise the suppliers for high levels of contamination it is unlikely to improve.

Residual waste from the MRF was not recorded on the Oct-Dec 2014 quarterly return and we were advised that this was being recorded on another quarterly return under another part of the business. It would be more appropriate for the residual waste to be reported on the same return as the Code of Practice (MRF) return. Please ensure that this is not double reported to NRW.

Recommendations:

Review the sampling methodology against the WRAP guidance to ensure that the correct amount of sample is taken in the correct way. This will be assessed at the next inspection.

A documented training scheme should be introduced to demonstrate that all staff carrying out the sampling are competent. Training should be appropriate to the individual task requirements, and should be refreshed at regular intervals.

Record the residual waste on the MRF quarterly return. - (This was done immediately following the audit with the quarterly return being resubmitted)

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Operator/ Permit	UPM-Kymmene UK Ltd	Date 25/02/2015

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			

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.