



EPR Compliance Assessment Report

Report ID: BT4885IT/0180433

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	08/05/2013	Time in	00:00	Out	00:00
What parts of the permit were assessed	Monitoring returns Jan-March 2013				
Assessment	Report/data review	EPR Activity:	Installation	X	Waste Op
Recipient's name/position	Peter Walmsley		Water Discharge		
Officer's name	Alison Soper	Date issued	03/06/2013		

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	C3	1.1.1
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	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	C4	3.1.2
	2. Land & Groundwater	NA	
	3. Surface water	A	
	4. Sewer	C4	3.1.2
	5. Waste	A	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	NA	
	5. Deposits on road	NA	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	C4	4.3.1 & 4.2.5
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

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	4.3
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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 completed within 14 days of an assessment.

Monitoring carried out as required and all reports submitted, apart from waste returns required under condition 4.2.5

Breaches of permit conditions:

Condition 1.1.1 - Operation of activities to minimise the risk of pollution. The failure of the primary air nozzles in the fluidised bed led to combustion problems which resulted in the breach of the daily average CO limit on the 16th of March, and potentially more significant emissions. (B5 - Cat 3)

Condition 3.1.2 - breach of daily average CO limit, actual impact likely to be minimal from daily average of 62.3mg/m³ against limit of 50mg/m³. (E1 - Cat4)

Also breach of limits for pH and Suspended Solids from scrubber, E1. TSS reported as 79.7mg/l against limit of 45mg/l, max pH reported as 13 against limit of 8 (E4 - Cat4).

Condition 4.3.1 late notification of emission breach. (G4 - Cat4)

Condition 4.2.5 - requirement to submit waste returns for incoming waste wood and waste derived fuels, and waste ash going off site. (G4 - Cat4). Advice and guidance was given regarding submission of waste returns more than 6 months ago, but none have been submitted to date.

Responses for improvement conditions 1 and 2 have been received. These required a review of effluent monitoring techniques against current standards and guidance. The following observations have been made:

1. The new paper sector BREF will require flow proportional monitoring in the future, although time proportional may be acceptable in certain circumstances. Your proposal to replace the current equipment with an MCERTS sampling device will meet the future requirements.
2. Samples should be kept cool as soon as they are taken to prevent deterioration. The current method of collecting samples twice daily allows the water temperature to change to the ambient temperature during the 12 hours between collection which could affect the results. Your proposal to install a refrigerated MCERTS sampler will resolve this issue.
3. The document refers to NH₄ (ammonium) testing. Is this what is being tested as the permit requires monitoring of Ammoniacal Nitrogen? The BREF will also require Total Nitrogen to be monitored in the future.
4. External cross-checking of analysis is already a permit requirement - Note 5 of table S3.2 - at either a six monthly or annual frequency, depending on the frequency of in-house sampling. Six monthly would be appropriate in your case.

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Operator/ Permit	UPM-Kymmene UK Ltd	Date	08/05/2013

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.		
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.		X
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			
B5	C3	No action specified	N/A
E1	C4	No action specified	N/A
E4	C4	No action specified	N/A
G4	C4	Waste returns to be submitted for 2012 and Q1 2013 as previously advised. Returns should be submitted as described on the Environment Agency website (search "waste returns").	30-Jun-2013

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.