

## Compliance Assessment Report CAR\_NRW0040432

**Permit being assessed:** BT4885IT.

For: Shotton Paper Mill EPR/BT4885IT, held by Shotton Mill Limited

At: WEIGHBRIDGE ROAD SHOTTON , DEESIDE, DEESIDE, CLWYD, CH5 2LL.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 21/09/2022 between 10:00 and 15:30.

Parts of permit assessed: Various

**NRW Lead Officer:** Stuart Ross, accompanied by Julia Frost.

**Report sent to:** Jamie Hill, Utilities Manager on 04/10/2022.

### 1. Summary of our findings (full details in section 4)

| Part of permitted activity assessed (criteria) | Assessment result | Permit condition |
|------------------------------------------------|-------------------|------------------|
| A1 - Specified by permit                       | C3 Minor          | 2.3.1            |
| E1 - Emissions - Air                           | C3 Minor          | 3.2.1            |
| F4 - Amenity - Pests/birds and scavengers      | Action only (X)   |                  |

Result types are explained in more detail in the 'Important Information' section below.

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 2                                        | 8                          |

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

### 2. What action is required?

| Criteria | Action needed         | Complete by |
|----------|-----------------------|-------------|
| A1       | Refer details section | 31/10/2022  |
| E1       | Refer details section | 31/10/2022  |
| F4       | Refer details section | 31/10/2022  |

Action criteria codes are listed in the 'Important information' section below.

### 3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

**You are non-compliant with your permit.**

**At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

## 4. Details of our assessment

This Compliance Assessment Report follows a routine site inspection 21/09/22 comprising of a site meeting and tour of the installation.

### **1. General Site Update**

The operator Shotton Mill Ltd (SML) reported that PM1 has largely been demolished, a 132 KV electricity substation has to be relocated before demolition is completed. The relocation will also require a short shutdown of Boiler 7.

Boiler 7, the Effluent Treatment Plant (ETP) and Materials Recycling & Recovery Facility (MRFF) all continue to operate as normal.

Ground investigations have commenced on plot A4.

A substantial permit application to introduce Paper Mill 3, the Combined Heat and Power Plant and Effluent Treatment (Anaerobic Digestion) Plant is due to be submitted to NRW early 2023. If the company requires pre-application advice please complete the request form available on our website.

A decision on the planning consent for the above operations is expected October 2022. It is understood that the planning consent for the CHP will be considered separately by PEDW.

### **2. Incinerator Bottom Ash (IBA)**

IBA is currently deposited in a 6 tonne skip within the incinerator (Boiler 7) building before being transferred to a partially enclosed building for bulking up in a trailer prior to off site transfer.

The building has a roof and is enclosed on three sides, benefiting from a solid concrete floor slab and 3 concrete push walls to the rear and sides. It is possible for rain water to ingress through the large opening at the front of the building and there is no internal drainage or other measure in place to prevent runoff escaping the building.

During the inspection the operator demonstrated a 6 tonne skip being tipped into the building before being loaded into an open topped trailer using a front loading shovel. Both operations lead to fugitive dust emissions that escaped the building with the potential to travel offsite, particularly the transfer into the trailer.

Prior to visiting the IBA storage area a large cloud of dust was observed arising from the IBA storage area and it is understood that this was caused by a road sweeper. It appears that the road sweeper is defective or unfit for purpose.

As per previous correspondence, the storage of IBA in this manner is not in accordance with the permitted operating techniques and is in breach of permit condition 2.3.1. This attracts a CCS score of 3. Emissions of IBA dust to atmosphere and to unmade ground is

in breach of permit condition 3.2.1 and attracts a CCS score of 3.

**Action 1** - As discussed SML shall submit a proposal to NRW with proposed control measures and associated timescales for the storage of IBA in accordance with Best Available Techniques (BAT) to prevent and where that is not practicable minimise emission to the environment. The proposal shall include justification for the bulking up operation, details of infrastructure improvements and associated operating procedures. Please do so by 31/10/22.

This proposal is in advance of a formal submission to change IBA handling operations as part of the forthcoming permit variation application due early 2023.

In the interim the operator proposed to implement mist cannons during the IBA handling to which we do not object.

**Action 2** - As discussed, drainage from the current IBA and paper sludge buildings (and also the edge of the wood yard) is achieved by surface water runoff to the adjacent road. However this road does not benefit from kerbing or gully pots to collect water for treatment. Rather runoff can escape containment and run to unmade ground along the edge of the road. This is not BAT and requires infrastructure improvements that should be incorporated into the forthcoming permit variation.

### **3. Boiler 7 Low Pressure Steam Turbine**

It was reported that the low pressure steam turbine has been removed and placed into storage as part of the PM1 demolition process. A new building and platform is being constructed to house the existing turbine and cooling tower and is expected to return to service March 2023.

**Action 3** - The relocation of the steam turbine should be included in the permit variation application due to be submitted early 2023. Changes to infrastructure are at your own risk pending the outcome of the permit application determination process. A description of the turbine house, cooling towers and environmental control measures should be submitted to NRW by 31/12/22

### **4. Boiler 7 OMA Action Review**

SML has made significant progress in addressing the issues identified with emissions monitoring as identified during the January 2022 OMA audit.

**Action 4** - As discussed. please submit a final response to Actions 7, 8 & 9 by 07/10/22.

SML reported that the overarching monitoring procedure is currently under review to implement further improvements following a recent internal OMA audit.

### **5. Effluent Treatment Plant (ETP)**

The ETP continues to be dosed with nutrients to make up for the loss of process effluent and is operating effectively. Elevated pH identified during 2022 is considered to be linked to algal blooms within the storage lagoons and in turn linked to the lower volumes of effluent being processed since papermaking operations ended. A recirculation system has been introduced and this has proven successful in lowering the pH. Emission Limit Values have

not been exceeded.

An OMA audit is due for emission points E1 and W1, this is likely to be scheduled for early December 2022 or early January 2023 - to be confirmed.

## **6. MRRF Plant**

A significant number of seagulls were noted in the vicinity of the MRRF and appeared to be feeding on some waste materials stored externally. The MRRF will be subject to a separate inspection and a date will be confirmed.

**Action 5** - Please supply the Pest Management Plan and / or relevant procedures for the control of birds by 31/10/22.

## **MRRF Dust Extract System BAT Assessment January 2021**

The WSP report concludes that the above system is operating in accordance with BAT and that the impact at sensitive receptors is low (likely below the background sound level). No further action required by the operator beyond ongoing plant maintenance.

If in future this item is plant is identified as causing an offsite impact then the BAT assessment may require review.

Noise impacts from the installation will be assessed as part of the substantial permit variation.

## **7. Annual Reporting**

The 2021 annual report was received 30/09/22 - comment will be included in the next quarterly monitoring review.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## Important information

### Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

### Assessment results and non-compliance categories (used in section 1):

| Assessment result | Description                                                       |
|-------------------|-------------------------------------------------------------------|
| Assessed (A)      | Assessed or assessed in part, no evidence of non-compliance found |
| Action only (X)   | Action only relating to the activity assessment                   |
| Ongoing (O)       | Ongoing non-compliance, not scored                                |

| Non-compliance category    | Description                                                                                                                 | Score |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------|
| C1 Major                   | Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property | 60    |
| C2 Significant             | Potential to have a significant impact or effect on the environment, people and/or property                                 | 31    |
| C3 Minor                   | Potential to have a minor or minimal impact or effect on the environment, people and/or property                            | 4     |
| C4 No environmental impact | Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property       | 0.1   |

### How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

**What are suspended scores?**

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

**Full list of Industry and Waste action criteria (used in section 1 and 2):****A: Permitted activities**

- A1 Specified by permit

**B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

**C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

**D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

**E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

**F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

**G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

**H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

## Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

## Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

## What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

## Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.