

## Compliance Assessment Report CAR\_NRW0040860

**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:** Report/Data Review, Reason: Routine.

On 23/12/2022.

Parts of permit assessed: Routine Emissions Monitoring & Reporting

**NRW Lead Officer:** Stuart Ross.

**Report sent to:** Jamie Hill, Utilities Manager on 30/12/2022.

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

| Part of permitted activity assessed (criteria)                                                                 | Assessment result | Permit condition |
|----------------------------------------------------------------------------------------------------------------|-------------------|------------------|
| E1 - Emissions - Air                                                                                           | C3 Minor          | 3.1.2            |
| E3 - Emissions - Surface water                                                                                 | Assessed (A)      |                  |
| E4 - Emissions - Sewer                                                                                         | Assessed (A)      |                  |
| G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment               | Assessed (A)      |                  |
| G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales | C4 No impact      | 4.3.1            |

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

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 2                                        | 4.1                        |

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 |
|----------|-----------------------|-------------|
| E1       | No further action     | 30/12/2022  |
| G4       | Refer details section | 30/12/2022  |

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 review of routine emissions monitoring returns for the period 01/07/22 - 30/09/22.

All returns received on time.

### **1. Emissions to Air (Emission Point A20)**

Continuous Emissions Monitoring Data - emissions compliant with the exception of CO.

On 08/09/22 the operator reported an exceedance of the 30 minute ELV for CO at 131mg/Nm3 on 23/08/22 due to equipment failure and boiler safety interlock.

*The operator reported that at the point of the exceedance 'waste had ceased to be fired. Boiler main safety interlock had activated following equipment failure. This stops waste firing to boiler. However, due to waste being fired prior to the trip, this unburnt fuel will have remained in the fluidized bed, and contributed to the emission value.'*

*Pressure transmitter pipe failed where it is connected to boiler ducting. This caused a measurement to read below a safety trip point, activating the boiler main interlock. The failure occurred as the pipe was contacted during maintenance works following the shutdown. The pipe at the failure point was found to be of thin diameter, so decision was taken to replace this section to the ducting to prevent re-occurrence'.*

The above CO emission limit exceedance is in breach of permit condition 3.1.2 and attracts non compliance score of 3.

The CO emission breaches was reported to NRW late and not in accordance with the notification timescale requirements set out in permit condition 4.3.1. This breach of permit attracts a non compliance score of 4.

**Action 1** - Ensure breaches of emission limit values are reported to NRW in accordance with permit condition 4.3.1. This action applies with immediate effect.

6 monthly extractive monitoring received - emissions compliant.

N.B, CEMs data reporting forms should not include emissions data collected during start up, shut down and when the plant is in a non operational state. It is noted that SML includes such data in the returns and provides an accompanying explanatory letter - this is not required. If there are any gaps in the data, e.g. due to plant plant shutdown, then an accompanying note is very much welcome. Any periods of invalid CEMS data and abnormal operation should be recorded and reported in accordance with the permit.

**2. Emissions to Surface Water (Emission Point W1)**

Emissions compliant

**3. Emissions to Sewer (Emission Point E1)**

Emissions compliant

**4. Other Returns**

Form Performance 2 received - nil return

Form Residue 1 received.

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.