

Compliance Assessment Report CAR_NRW0041123

Permit being assessed: BJ9681IX.

For: Oakenholt Mill EPR/BJ9681IX, held by SCA Hygiene Products UK Limited

At: OAKENHOLT PAPER MILL CHESTER ROAD , FLINT, FLINT, CLWYD, CH6 5PU.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 30/12/2022.

Parts of permit assessed: Annual Monitoring Returns & Report

NRW Lead Officer: Paul Challender.

Report sent to: Dawn Harris, Carys Jones, Quality & Environment Manager, Environment Apprentice on 09/02/2023.

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	Permit Condition 3.3.1, Schedule 3(b), Table S3.1.
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	Permit Condition 4.2.2
E3 - Emissions - Surface water	C3 Minor	Permit Condition 3.1.2, Schedule 3(b), Table 3.3.
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
3	8.1

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	Provide a completion date to the regulating officer.	10/03/2023
G4	Action 2: Submit the missing data for AOX, total energy used, and water discharged to NRW.	10/03/2023
E3	Action 3: Submit a root cause analysis of the phosphorus breach and implement a plan to prevent future breaches of this parameter.	14/04/2023

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.

At this time, we do not intend to take any further action.

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 (CAR) has been raised by the reviewing Natural Resources Wales (NRW) officer to review the recently submitted monitoring returns. NRW received the annual air monitoring and performance returns for 2022 by email on 20/01/23 as per permit requirements. Elements of monitoring were not supplied in the submission, these omissions are detailed below.

Annual Returns

Annual monitoring for emissions to air was reported as required by Permit Condition 3.3.1, Schedule 3(b), Table S3.1. Emission Point A1 is a single stack with two flues for the two boilers within the boiler house. The two emission points are referenced as A1a and A1b. A1b has breached the NOx emission limit value (elv). Discussions have taken place between the operator and NRW and plans are underway to resolve the issue this financial year to bring the older of the two boilers into compliance with the elv. This breach of the limit has generated a compliance score. A completed Schedule 5 (Parts A & B) was received from the operator upon testing this reporting year outlining the solution to the issue but no date was given for resolution.

Score: (E1) Emission to Air. Permit Condition 3.3.1, Schedule 3(b), Table S3.1. CCS 3.

Action 1: Provide a completion date to the regulating officer.

A Priority Hazardous Pollutants screen is required to be conducted annually by Permit Condition 3.3.1, Schedule 3(b), Table S3.2 for emissions to water. This data was submitted with no issues identified.

A Performance 1 form was received however, this was not the version issued with variation 8 of the operator's permit, therefore some parameters have not been reported. Parameters that are required to be monitored and reported are missing from this submission namely AOX, total energy used, and water discharged. Water discharged has been reported as effluent discharged. The operator is free to propose an alternate reporting form/format which, must be agreed in writing with NRW before submission, if desired.

Score: (G4) Notification & Reporting to NRW. Permit Condition 4.2.2. CCS 4.

Action 2: Submit the missing data for AOX, total energy used, and water discharged to NRW.

Certain parameters are required to be monitored and have annual elvs applied via Permit Condition 3.1.2, Schedule 3(b), Table 3.3. These are parameters discharged to water and are as follows chemical oxygen demand (COD), total suspended solids (TSS), total nitrogen, total phosphorus and adsorbable organically bound halogens (AOX).

AOX has not been reported and therefore it is unknown if the annual elv for this parameter has been breached. Total phosphorus was reported at a level of 0.016 kg/t for the year (although 0.015 kg/t is stated in the 4.2.2 report); this breaches the elv of 0.012 kg/t.

Score: (E3) Surface Water. Permit Condition 3.1.2, Schedule 3(b), Table 3.3. CCS 3.

Action 3: Submit a root cause analysis of the phosphorus breach and implement a plan to prevent future breaches of this parameter.

Permit Condition 4.2.2(a) requires a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data. This report was reviewed with no issues identified apart from the contradictory total phosphorus result.

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 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

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.