

Compliance Assessment Report CAR_NRW0041958

Permit being assessed: BJ9703IM.

For: Flint Paper Mill EPR/BJ9703IM, held by Kimberly-Clark Limited

At: Flint Paper Mill Aber Road , Flint, Flintshire, CH6 5EX.

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

On 12/06/2023.

Parts of permit assessed: Q1 Monitoring returns & Waste Returns

NRW Lead Officer: Paul Challender.

Report sent to: Clare Jones, Flint Site Energy and Environmental Leader on 14/06/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	Permit Condition 1.1.1(a)
C1 - General Management - Staff competency/training	C3 Minor	Permit Condition 1.1.1(b)
E3 - Emissions - Surface water	C3 Minor	Permit Condition 3.1.2, Schedule 3(b), Table 3.2.
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.3.1(b)

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

Total number of non-compliances recorded	Total non-compliance score
4	12.1

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
C2	See Actions 1 - 5 in the above report	31/07/2023
C1	Action 6: Submit evidence of operational staff training in relation to the recent ETP issues.	31/07/2023
E3	Action 7: Investigate alternatives to discharging breaching effluent to surface waters and submit proposals to NRW.	30/09/2023
G4	Action 8: Inform NRW of each breach of elv by a Part A submission with immediate effect.	14/06/2023

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 to review the documentation recently submitted as per permit conditions, to Natural Resources Wales (NRW).

Q1 Monitoring Returns

Q1 Monitoring Returns covering January 2023 to March 2023 were received by email on 26/04/23 in compliance with

The Monitoring Returns Permit Condition 3.3.1 requires the operator to undertake monitoring as specified in Schedule 3(b), Tables S3.1, S3.2 and S3.3. The results of the specified monitoring are required to be reported to NRW in accordance with Permit Condition 4.2.3, Schedule 4(b), Table S4.1. The Q1 monitoring reports for emissions to water between 01/01/2023 to 31/03/2023 were received within the relevant timeframe. The returns for emissions to water in this reporting quarter have been reviewed with no issues identified.

Waste Returns

Permit Condition 4.2.3(b), Schedule 4(b), Table S4.3 & Permit Condition 4.2.5 require the operator to submit quarterly waste returns to NRW within 28 days of the close of the preceding quarter. Waste returns for Q4 2022 and Q1 2023 were received within the stipulated timeframe with no issues identified.

Notifications

There have been recent issues with regard to the effluent treatment plant (ETP). A series of breaches of the ammonia emission limit value occurred and were reported via three separate notifications. The operator also pro-actively engaged with NRW prior to and during the notification submission process. The operator believes that this series of breaches occurred due to an initial failure which led to instability in the ETP which was exacerbated by compounding factors. All reported breaches occurred for the same parameter (ammonia), emission point (W2) and reporting quarter (Q2).

Notification 1

After earlier verbal communication a Part A of Notification 1 was received on 27/04/23 reporting that an elevated ammonia level had been detected which, was identified on 23/4/23 in ETP due to procedural testing. 2094m³ of effluent with a concentration of 17mg/l ammonia had been discharged. The operator ceased discharges and stopped production due to high effluent tank levels. The operator then chemically treated the effluent to attempt to reduce

ammonia concentration.

A Part B notification was received on 03/05/23 indicating that further breaching discharges had occurred on 26/4/23 at 0446 hrs, 26/4/23 at 17:00 hrs and 28/4/23 at 0646 hrs.

Notification 2

Part A of Notification 2 was received on 05/05/23 but related to an earlier breach than the notification above. On the 09/04/23 a breach of 4.9 mg/l of ammonia occurred. When the identified temporary spike in ammonia was detected, the effluent was recirculated back through the treatment process and stabilised.

The Part B for the breach reported the discovery of a leak from a nutrient tank into its bund. The contents of the bund had been assumed to be only rainwater and had been pumped into the ETP resulting in a surplus of nutrient and a spike in ammonia.

The operator reported that there would be a revision to the procedure and that training would be issued to operatives on how to empty bunds, including the appropriate initial checks and tests. In addition, the tank would be permanently fixed.

Notification 3

After earlier verbal communication a Part A of Notification 1 was received on 20/05/23 reporting that an elevated ammonia level had been detected which, precipitated two breaching discharges on 20/5/2023 at 0102 hrs at a concentration of 10.6mg/l and on 21/05/23 at 0138 hrs at a concentration of 7.8mg/l.

The operator reported that they prevented the initial discharges and started regular supplement treatment to reduce the ammonia concentration. The concentration initially decreased but then stabilised at levels above the consent limit. The tissue machine was started which aided in decreasing the ammonia further, but an effluent discharge was then required. The operator stated that they were continuing to monitor and avoid discharges when possible until back in consent.

The operator's investigation identified the following contributing factors:

The incident was investigated with a number of contributing factors identified:

- recirculation of the effluent had been prevented for 48 hours during the planned shut down due to maintenance work,
- the recirculation of water was diverted to help a sludge issue,
- the aerobic bacteria decreased as the shutdown progressed.

The operator proposed the following resolutions:

- training of operators on the importance of recirculating effluent and implications of changes,
- improvement to shut process to review planned maintenance and potential impacts from isolations,
- tissue machine shut process and subsequent impact to effluent plant to be assessed

by external experts to provide improvement recommendations.

The operator is currently relying on discharging in breach when parameters are above elvs. This should not be continued. The operator has already communicated to NRW that they believe that tankering away breaching effluent is not a practicable option. The operator is required to investigate other options.

The ammonia breaches and their underlying causes as outlined above have precipitated the below CCS scores and actions:

Score: (C2) Management Systems. Permit Condition 1.1.1(a). CCS 3.

- **Action 1:** Submit a root cause analysis regarding the leak from the nutrient tank by 31/07/23.
- **Action 2:** Evidence to NRW the applied fix to the leak of the nutrient tank by 31/07/23.
- **Action 3:** Submit to NRW an existing preventative maintenance procedure for environmentally critical equipment. In the absence of a procedure, one should be generated. PM procedure should include defined periodic integrity testing of ETP infrastructure to identify potential for leakage before it occurs. Submit to NRW by 31/07/23.
- **Action 4:** Submit reviewed and updated shutdown procedures by 31/08/23.
- **Action 5:** Tissue machine shutdown process external expert review outcome to be submitted to NRW when received.

Score: (C1) Staff Competency and Training. Permit Condition 1.1.1(b). CCS 3.

- **Action 6:** Submit evidence of operational staff training in relation to the recent ETP issues by 31/07/23.

Score: (E3) Emissions - Water. Permit Condition 3.1.2, Schedule 3(b), Table 3.2. Consolidated CCS Score 3.

- **Action 7:** Investigate alternatives to discharging breaching effluent to surface waters and submit proposals to NRW by 30/09/23.

Score: (G4) Reporting & Notification to NRW. Permit Condition 4.3.1(b). CCS Score 4.

Although Schedule 5 Part A's & B's have been submitted, multiple breaching discharges were reported. NRW should be notified of each breach via a Part A submission.

- **Action 8:** Inform NRW of each breach of elv by a Part A submission.

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.