

Compliance Assessment Report CAR_NRW0042090

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: Report/Data Review,

Reason: Other.

On: 06/07/2023.

Parts of permit assessed: Containment and notification.

NRW Lead Officer: Paul Challender.

Report sent to: Clare Jones, Flint Site Energy and Environmental Leader, on 06/07/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	C3 Minor	Permit Condition 1.1.1(a).
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	Permit Condition 3.1.1
IR3B - Emissions and monitoring - Emissions of substances not controlled by emission limits	Assessed (A)	
IR4B - Information - Reporting	Assessed (A)	
IR4C - Information - Notification	Assessed (A)	

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

Total 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
IR1A	Action 3: Preventative maintenance procedures are to be submitted to NRW as per the details and deadline applied in	31/07/2023

Criteria	Action needed	Complete by
	Action 3 of CAR_NRW0041958.	
IR3A	<p>Action 1: Ensure that the leak location is incorporated into the scope of the next periodic monitoring of groundwater and soil as per Permit Condition 3.1.3.</p> <p>Action 2: Provide the following information to NRW. Confirmation that the leak is repaired and the date the works were finalised. Photographic evidence of before and after, if such evidence exists. A grid reference of the location of the leak.</p>	31/08/2023

Compliance 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 NRW to assess the recently reported effluent spill at Kimberley Clarke's Coleshill Mill in Flint.

A notification was received stating that an effluent spill had been detected within the site's footprint at 1600 hrs on 23/04/23. The Part A stated that the drains to onsite surface drainage covered and isolated. That the area was bunded and a sump pump was transferring effluent back into mill tanks. To identify the exact location of the leak, acoustic leak detection specialists contacted to complete site survey to determine the breach in the pipe work. Furthermore, Kimberley Clarke planned to excavate as necessary and implement repairs.

The Part B of the notification was received on the 15/06/23. It stated that the investigation to determine the origin of the leak included several excavations and tests over several weeks. The pipeline and point of leak had now been identified as "P38" water from the tissue machine to the effluent plant, post initial treatment for suspended solids. The leak is directly coming from a connector coupling between the metal and plastic piping. Kimberley Clarke planned to obtain and refit a new coupling to make the pipework water tight. Furthermore, the leaked effluent has been contained throughout the investigations by pumping and redirecting from a created borehole.

No further update has been received from the operator and an action is applied below requesting further information. This is the second event in recent months relating to failures in the integrity of aspects of the effluent treatment plant (ETP) and scores have been applied with regard to preventative maintenance.

Score: IR3A - Emissions to water, air or land. Permit Condition 3.1.1. Score C3.

Action 1: Ensure that the leak location is incorporated into the scope of the next periodic monitoring of groundwater and soil as per Permit Condition 3.1.3. Provide evidence of this to NRW by 31/08/23.

Action 2: Provide the following information to NRW. Confirmation that the leak is repaired and the date the works were finalised. Photographic evidence of before and after, if such evidence exists. A grid reference of the location of the leak. Submit this evidence to NRW by 31/08/23.

Score: IR1A - General management. Permit Condition 1.1.1(a). Score C3.

Action 3: Preventative maintenance procedures are to be submitted to NRW as per the details and deadline applied in Action 3 of CAR_NRW0041958.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.