

Compliance Assessment Report CAR_NRW0043552

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: Report/Data Review,

Reason: Routine.

On: 31/12/2023.

Parts of permit assessed: Routine Emissions Monitoring & Reporting.

NRW Lead Officer: Stuart Ross.

Report sent to: Vicky Morris - Jones, Technical / Environmental Manager, on 26/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Emissions and monitoring - Monitoring	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2
IR4B - Information - Reporting	C4 No impact	4.2.3
IR4C - Information - Notification	Action only (X)	

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

Total 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
IR3A	No further action	29/03/2024
IR4B	Submit Boiler 7 six monthly extractive monitoring return.	29/03/2024
IR4C	Submit Part B notification for CO ELV exceedance on 12/11/23.	29/03/2024

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.

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 01/10/23 - 31/12/23 and annual returns.

1. Emissions to Air (Emission Point A20)

A) Continuous Emissions Monitoring Data

During this period Schedule 5 Part A & B notifications were received for emission limit value (ELV) exceedances. These are summarised below.

27/10/23

A Schedule 5 notification was received 31/10/24 for a daily NOx ELV exceedance 27/10/23 at 203.7mg/Nm³ versus daily ELV 200 mg/Nm³.

The operator reported that 'the boiler was starting up after site power failure. During the start-up and introduction of solid fuel we experienced high NOx readings. The boiler was kept at a lower production rate to try and bring the daily average down'.

A Part B notification was received 10/11/23 stating that '*After A Site Wide Power Outage, Boiler 7 was in the process of restarting. Solid Fuel was being introduced 11.45 am, onto the Boiler and Gas was being used to increase Temperatures. The Operator experienced a prolonged start-up which led to high NOX levels during the start-up period*'.

'Once Solid Fuel was established and Gas turned off. NOX levels returned to normal. Boiler production rate was kept at a vastly reduced rate for the rest of the 24-hr. period to try and bring the average beneath our emission limit. Unfortunately, the level came back just over our permitted level at 203.7'.

Following a review of the information provided it is concluded that the elevated emissions occurred during start up and should have been excluded from the daily average calculation. No non-compliance is recorded.

10/11/23

A Schedule 5 notification was received 11/11/23 for half hourly CO ELV exceedances 10/11/23 15:30 (196mg/Nm³) and 16:00 (164mg/Nm³) versus half hourly ELV 100mg/Nm³.

A Part B notification was received 10/11/24 stating that the *'secondary air flow control damper was diagnosed with a fault. Solid fuel was taken off the boiler whilst repairs were carried out on the valve.'*

After repairs effected solid fuel was introduced back onto the boiler. The valve fault was due to a blocked vent on the actuator. The vent has been replaced'.

Following a review of the information and process trends provided it is concluded that the elevated emissions occurred during shutdown whilst the fault was repaired and should have been excluded from the daily average calculation. No non-compliance is recorded.

12/11/23

A Schedule 5 notification was received 01/12/23 for a half hourly CO ELV exceedance on 12/11/23 at 06:30. A result of 100.9 mg/Nm³ was recorded versus the half hourly ELV of 100mg/Nm³.

It was reported that this was due to the failure of control valve 42-0135.

This is a breach of permit condition 3.1.2 and a minor non-compliance score of C3 is applied.

Action 1 - Submit Part B notification for CO ELV exceedance on 12/11/23. Please do so by 29/03/24

22/11/23

A Schedule 5 notification was received 22/11/23 for half hourly CO ELV exceedances 22/11/23 at 15:00 (129.3mg/Nm³) and 15:30 (118.2mg/Nm³) versus half hourly ELV 100mg/Nm³.

A review of information shows that the boiler had not completed start up and no waste fuel was in use. ELVs do not apply, no non-compliance recorded.

12/12/23

A Schedule 5 notification was received 12/12/23 for half hourly CO ELV exceedances 12/12/23 04:30 (202.6 mg/Nm³) and 05:00 (105.2mg/Nm³) versus half hourly ELV 100mg/Nm³.

A Part B notification was received 05/01/23 stating that *'the 1st event between 04:30 – 05:00 was caused by uneven fuel feeding due to one of the day silo screws failing when running fuel into the boiler. The bolts securing the screw to the shaft all failed at once. The operator spent 20 minutes trying to settle the boiler and diagnose what the issue was.'*

The 2nd event between 05:00-05:30, the Operator had diagnosed what the issue was and had settled the boiler but unfortunately this 30-minute period elapsed just over our limit.

Both day silos were taken offline the following week and both screws were replaced due to high wear'.

This is a breach of permit condition 3.1.2 and a minor non-compliance score of C3 is applied.

N.B CO exceedances have been consolidated into a single non-compliance score of C3.

B) 6 Monthly Extractive Monitoring Data

The 6 monthly extractive monitoring return for the period July – December 2023 has not been received – due January 2024.

This is a breach of permit condition 4.2.3 and attracts a non-compliance score of C4.

Action 2 – Submit Boiler 7, six monthly extractive monitoring return by 29/03/24.

C) Boiler 7 CEMS Data Handling and Reporting

The returns for this quarter include monitoring data that covers periods of plant start up and plant shutdown and non operation. This data is not required to be reported and should be excluded from future returns. Similarly, Schedule 5 Part A and B notifications are not required for this data as ELVs only apply during normal operation.

Compliance Assessment Report reference CAR_NRW0042141 includes an action (Action 2) requiring steps to be taken to address these issues with a response due 29/02/24.

D) CEMS Invalidation Log

The CEMS invalidation log was received as required.

It was noted that the log records a 1 half hour period on 14/12/23 with the comment '*FID analyser sample connection repair*'. This indicates reactive work following an unexpected CEMS breakdown and therefore cannot be recorded as an invalid half hourly period.

The log should only record invalid half hours and days associated with planned CEMS maintenance and calibration.

Compliance Assessment Report reference CAR_NRW0042141 includes an action (Action 1) requiring steps to be taken to address this issue with a response due 29/02/24.

2. Emissions to Surface Water (Emission Point W1)

Emissions compliant, for the avoidance of doubt please include measurement units against future results.

3. Emissions to Sewer (Emission Point E1)

Emissions compliant, for the avoidance of doubt please include measurement units against future results.

4. Other Returns

Form Performance 2 received - nil return

Form Residue 1 received. Loss on ignition <5% (compliant).

Annual review as required by permit condition 4.2.2(a) and 4.2.2(d) was received and reviewed – no issues noted.

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.