

Compliance Assessment Report CAR_NRW0038338

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 21/05/2021.

Parts of permit assessed: Q4 and annual 2020 reports, Q1 2021 and Improvement conditions

NRW Lead Officer: Sian McGregor-Andrew.

Report sent to: J Partridge, Flint Site Environment and Energy Leader on 28/05/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4 No impact	3.3.1
A1 - Specified by permit	C3 Minor	3.3.1
E3 - Emissions - Surface water	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
E1 - Emissions - Air	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
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
G1	investigate options for monthly MCERTS analysis as an interim measure while CPI are undertaking work to identify suitable laboratory service.	30/06/2021
A1	No further action required, pipeline repaired and tested	Already completed

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

Monitoring of emissions Oct-Dec 2020 (Q4) and annual reporting.

Requirements - Condition 3.3.1 requires the operator to undertake monitoring as specified in tables S3.1, S3.2 and S3.3 of Schedule 3 of the permit. The results of that monitoring are required to be reported to Natural Resources Wales in accordance with Schedule 4 and table S4.1

Findings:

Q4 monitoring reports for emissions to water (W2) were received on 26/01/21. The monitored parameters were all compliant with the relevant emission limits, with the exception of Ammonia on 13/11/20 which has already been assessed via CAR form NRW0037594.

Q4 monitoring of emissions to air (A6, A7, A15) were received on 26/01/21 with all relevant parameters and point monitored as required by Schedule 3(b) Table S3.1.

Annual reporting of energy usage and performance indicators were also received as required on 26/01/21.

Monitoring of emissions Jan-Mar 2021 (Q1)

Requirements - Condition 3.3.1 requires the operator to undertake monitoring as specified in tables S3.1, S3.2 and S3.3 of Schedule 3 of the permit. The results of that monitoring are required to be reported to Natural Resources Wales in accordance with Schedule 4 and table S4.1

Findings: Q1 monitoring reports for emissions to water (W2) were received on 26/04/21. All monitored parameters were compliant with the relevant emission limits.

BOD, total N and P, PCP and AOx have not been monitored this quarter via MCERTS lab due to NLS remaining closed to commercial samples. This is a **CCS4 breach of Condition 3.3.1**.

The CPI trade body is currently undertaking work to identify laboratories able to provide monitoring suitable for paper mills on behalf of a number of companies. The operator has contacted a local laboratory and had some of the missing samples analysed previously (Q4 2020), however due to the tidally-restricted timings of the discharge from the Flint site this lab is not able to provide adequate sample collection timings that are not cost-prohibitive.

The operator continues in-house monitoring and close observation of effluent treatment performance to identify any potential quality deterioration.

Action: More investigation into providing some level of MCERTS analysis for the missing parameters is required, even if the frequency is monthly (rather than weekly) when tidal conditions allow for timely sample collection and transport to laboratory. Please provide a report **by 30/06/2021** on how monthly testing via an MCERTS lab for the missing parameters will be carried out until the NLS lab reopens, or an alternative provider can be found.

Effluent pipeline repair

A Part A notification was received on 04/05/21 following discovery of a leak from the treated effluent discharge pipeline to ground within the site boundary. The majority of the effluent was contained in the WWTW drainage system with a small amount reaching a surface water drain into Flint lake and some loss to ground.

CCS3 breach of condition 3.1.1 which states *'There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1, S3.2 and S3.3.'*

A Part B notification was received on 07/05/21 confirming the GRP pipe had been excavated, repaired and tested. Further details of the investigation into the pipe failure were provided by email on 14/05/21 identifying the cause and remedial actions. It is recommended that any future work on the pipeline should incorporate the addition of inspection access points to allow CCTV survey of the pipe beyond the vacuum breakers. Monthly visual walkover inspections of the whole pipeline continue with no other issues noted.

Improvement Conditions

Kimberly-Clark Limited – Coleshill Mill, Flint – Updated H5 Site Condition Report; Factual Site Investigation Report. RSK Environment Limited, Project Number: 325144-R01 (02), February 2021.

The above report was received on 06/05/2021. NRW is satisfied that the further monitoring and updated conceptual model are sufficient for use as baseline data for any future permit surrender.

As noted in relation to IC2 the soil and groundwater monitoring locations proposed in the 2018 H5 report (BH101, BH103 to BH110 and BH106A as defined in drwg 325144-Ro1(00)D004a and 325144-Ro1(00)D004b) and the groundwater quality monitoring suites

included in Appendix E and Tables 10 and 14 of that report are therefore the determinants suites to be tested through the lifetime of the permit.

Improvement condition IC3 from Table S1.3 is considered complete.

Condition 2.4.1 is therefore complied with following the submission of data for IC1 on 22/09/2017, the 2018 report and subsequent comments from NRW in relation to IC2 on 29/04/2020 and finally the report and comments above in relation to IC3 as received on 06/05/2021. All improvement conditions are complete.

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.