

Compliance Assessment Report CAR_NRW0038777

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: Site Inspection, Reason: Routine.

On 17/09/2021 between 10:30 and 13:00.

Parts of permit assessed: See below

NRW Lead Officer: Paul Challender.

Report sent to: Jan Partridge, Flint Site Environment and Energy Leader on 29/09/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
E1 - Emissions - Air	Assessed (A)	
E3 - Emissions - Surface water	Assessed (A)	
E5 - Emissions - Waste	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4 No impact	Permit Condition 3.3.1, Schedule 3(b), Tables S3.2 & S3.3
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
1	0.1

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	Review the availability of MCERTS analysis for the missing emission parameters to find a solution prior to NLS re-opening or the CPI finishing it's work. Attempt to source an MCERTS certified provider for missing parameters who can provide a service even if the temporal sampling frequency would be at a reduced level.	05/11/2021
G4	Review the declared recovery code to be declared on waste returns and amend for the Q3 waste return submission.	31/10/2021

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 was a site familiarisation visit for the new regulating NRW officer Paul Challender. The regulating officer was accompanied by Jan Partridge the Flint Site Environment and Energy Leader at all times whilst on the Kimberley Clarke Flint site and was also accompanied by Steve Mitchell the Coleshill Mill Process Stream Leader also, whilst in the permitted area.

Jan Partridge gave a comprehensive tour of the whole site explaining the permit boundary, function of other unpermitted processes on the site and site drainage. When accompanied by Steve Mitchell for the permitted area, Steve and Jan gave a full tour of the process and explained the effluent treatment plan, effluent discharge, site drainage, waste paper acceptance through pulping to paper production. Waste paper bales were examined and were as described. No physical issues were identified during the visit.

This CAR form also encompasses the review of submitted documentation required by the permit conditions. See below.

Waste Returns

Waste Returns are submitted to NRW in a timely manner and returns for 2021 and a selection of historic returns were reviewed. It was noted that although applicable EWC codes are listed for waste streams accepted onto site that the recovery code *R10 Land treatment resulting in benefit to agriculture or ecological improvement*, declared in the *Disposal or Recovery Code* column on the *Waste_Received* work sheet does not reflect the activity performed or permitted on this waste material at your site.

Action 1: Review the declared recovery code to be declared on waste returns and amend for the Q3 waste return submission.

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 Natural Resources Wales in accordance with Permit Condition 4.2.3, Schedule 4(b), Table S4.1. The Q2 monitoring reports for emissions to water and air between 01/01/2021 to 30/06/2021 were received within the relevant timeframe.

There are no issues to raise with the reported data submitted for air emission points A6, A7 or A15.

With regard to emissions to water at W2 all monitored parameters were compliant with the relevant emission limits. It should be noted however, that BOD, total N and P, PCP and AOX have not been monitored again this quarter via MCERTS lab due to NLS remaining closed to commercial samples. This is a breach of permit conditions and is scored below.

The Confederation of Paper Industries (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 engaged with a local provider to obtain results for three of the missing parameters, however only one parameter is accredited to UKAS and no samples achieve MCERTS accreditation. The operator continues in-house monitoring and close observation of effluent treatment performance to identify any potential quality deterioration.

Score: This is a CCS4 breach of Permit Condition 3.3.2 Schedule 3(b), Table 3.2 & 3.3 under compliance criteria (G1) - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment.

Action 2: Review the availability of MCERTS analysis for the missing emission parameters to find a solution prior to NLS re-opening or the CPI finishing it's work. Attempt to source an MCERTS certified provider for missing parameters who can provide a service even if the temporal sampling frequency would be at a reduced level e.g. monthly sampling that aligns with the tidal restriction.

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.