

## Compliance Assessment Report CAR\_NRW0038842

**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 carried out:** Site Inspection, Reason: Routine.

On 20/09/2021 between 10:00 and 13:00.

Parts of permit assessed: Various

**NRW Lead Officer:** Stuart Ross, accompanied by Paul Challender.

**Report sent to:** Andrew Bronnert, Head of Energy & Operational Support on 05/11/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	2.3.1
C2 - General Management - Management system and operating procedures	C3 Minor	1.1
B4 - Infrastructure - Containment of stored materials	C3 Minor	2.3.1

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

Total number of non-compliances recorded	Total non-compliance score
3	12

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
A1	Refer details section	10/12/2021
C2	Refer details section	10/12/2021
B4	Refer details section	10/12/2021

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.

**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 site meeting and inspection 20/09/21. Present were the General Manager, the Head of Energy and the Mill Systems Engineer.

During the meeting it was reported that Eren Holding will take ownership of Shotton Mill Ltd on 30/09/21. As of 27/09/21 newsprint manufacturing at the site will cease and Paper Machine 2 (PM2) will enter a decommissioning phase along with the RCF plant and some extent the Effluent Treatment Plant (ETP). The CHP biomass boiler (Boiler 7) and Material Recycling Facility (MRF) will continue to operate as normal.

Substantial changes to site operations are planned including the demolition of the existing paper machine buildings (possible retention of RCF2) and the addition of new activities including paper making (cardboard), tissue manufacturing, associated converting, new Effluent Treatment Plant (including anaerobic digestion) and large combustion plant (CCGT) to supply heat and power to the process. The development of the site is likely to occur in phases, paper making in any form may not occur within the next 2 - 3 years. N.B Details remain subject to change.

Current proposals will bring land to the North of the existing site within the installation boundary.

The proposed changes to the installation will require a substantial permit variation application. On a discretionary basis, NRW can provide up to two hours of free pre-application advice, beyond which our time is chargeable. Please contact NRW should you wish to engage in pre-application discussions.

### **Installation Transition Period - Associated Control Measures**

#### **PM2 and RCF Plant**

Following cessation of paper making, product and any left over raw materials will be exported from site. Potentially polluting materials will be removed from the paper mill and RCF plant.

The operator reported that EMS procedures and work instructions relating to the above are to be updated to reflect cessation of operations and to ensure environmental control measures are maintained as required.

**Action 1** - Provide NRW with a copy of your PM2/RCF Plant decommissioning plan by 10/12/21.

#### **Biomass Boiler and MRF**

As noted above the MRF and biomass CHP will continue to operate as normal with the exception of some minor changes.

- Recycled paper arising from the MRF that would have been used in PM2 will now be

exported from site for use in paper making elsewhere.

- The operator reported that they are currently looking at options to import de-inked sludge to fuel the biomass boiler to make up for the loss of material arising from PM2/RCF plant (currently 20% thermal substitution).

- In the absence of PM2, heat from the biomass boiler will be wasted and a substantial proportion of generated electrical power exported to the national grid.

### **Effluent Treatment Plant (ETP)**

Due to the substantial reduction in process effluent volume and organic loading arising from the closure of PM2, the operator has investigated options to maintain the operation of the existing ETP that will continue to receive site surface waters and exhaust gas treatment effluent from the biomass boiler.

A plan has been developed to maintain biomass with a 'feed' of a product named 'Nutrimex' - it is anticipated that this will maintain the ETP as has occurred previously albeit for shorter time periods.

Sludge handling has also been assessed - sludge dewatering will be in batches rather than continuously, sludge will continue to be stored in tanks. The tanks do not currently benefit from odour control, a potential change in sludge residence time may increase odours from the process and this should be kept under constant review and control measures implemented if required.

The operator reported that EMS procedures and work instructions relating to the ETP are to be updated to reflect changes to the operation of the plant.

**Action 2** - Provide NRW with a summary of changes made / to be made to the operation of the ETP post PM2 closure to ensure permit compliance is maintained. Please do so by 10/12/21.

### **Site Inspection**

A site inspection was conducted in the vicinity of the boiler 7 wood yard and Effluent Treatment Plant.

The following issues were identified

#### **Boiler 7 Fly -ash**

Fly ash is being stored in the open (close to the ETP) in breach of permit. The permit requires that this material is stored in two designated storage silos as detailed in the Boiler 7 permit application that forms part of your permitted operating techniques.

The operator reported that some lorries collecting fly ash from the silos become overloaded during the loading operation and are then resolving the issue by tipping material into this area.

The open storage of this material poses potential risks in terms of wind blow dust

emissions and runoff to ground, groundwater and surface water.

Storage of fly ash in this manner is in breach of permit condition 2.3.1 (Operating Techniques) and 1.1 (General Management). This attracts a CCS score of 3.

**Action 2** - Fly ash generated by boiler 7 shall be stored only in the dedicated silos - with immediate effect.

**Action 3** - Take steps to prevent vehicle overloading, if this cannot be achieved with existing infrastructure then complete a review of improvement options to prevent this occurring. Any changes to fly ash storage arrangements (other than those currently permitted) may require a permit variation.

The storage of fly ash in the open is highly unlikely to be approved.

If in the interim it can be justified that the overloading of vehicles cannot be prevented and fly ash must be discharged from the vehicle to an area other than the dedicated silos, an interim proposal may be required to minimise the environmental risk whilst a permanent solution is developed.

Provide NRW with the steps you have taken to meet this action by 10/12/21.

**Action 4** - Fly ash (and any other fly ash contaminated waste materials) stored outside shall be removed and disposed of at a suitably permitted facility, a thorough clean down shall be performed to ensure no residual material remains in situ. Evidence shall be provided to NRW by 10/12/21 to demonstrate that this has been achieved.

**Action 5** - A risk assessment shall be carried out to assess the risk of pollution to land and groundwater due to the outside storage of fly ash. Where the risk assessment identifies that contamination may have occurred then a sampling methodology shall be developed and (subject to NRW review) be implemented to assess the extent and character of any contamination caused and include steps to be taken to remediate accordingly. Please submit your initial risk assessment to NRW by 10/12/21.

**Action 6** - Review EMS procedures relating to the storage of fly ash to ensure permit compliance is achieved. Provide NRW with a summary of your review findings and remedial measures by 10/12/21.

### **Secondary Containment / Storage of Waste**

Drummed liquid waste (6 x 205 litre drums plus smaller containers) were stored on a pallet with no secondary containment. According to at least one of the labels, the drums contained 'resultant waste from a repair or preventative maintenance on one of our porta feed base tanks'. It is understood that the waste had been drummed by a contractor.

Also present were approximately 10 (~15 Kg) bags of powder, that appeared to be waste and possibly related to effluent treatment.

Numerous IBCs stored on drip/ bund trays that were flooded with what appeared to be rainwater rendering them useless. It was reported that some of these IBCs were put in place by a third party contractor.

Spills in these areas could run across concrete hardstanding to unmade ground.

Permit condition 3.2.3 requires that *'all liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container'*.

The above is in breach of permit condition 3.2.3 and 1.1 (General Management) and attracts a non compliance score of 3.

Note - Shotton Mill Ltd is responsible for the actions of its contractors and must ensure their actions are controlled to ensure permit compliance is maintained.

**Action 7** - as discussed during the inspection, immediate action is required to provide adequate secondary containment for liquid waste materials detailed above pending the transfer to a suitably permitted facility. Provide NRW with a summary of the steps you have taken to address this action by 10/12/21.

**Action 8** - Carry out root cause analysis to determine why liquids have been stored without adequate secondary containment and why containment measures for IBCs have not been maintained. Report your findings and remedial measures to NRW by 10/12/21.

**Action 9** - With particular regard to the ETP, complete a risk assessment for the use of existing IBCs for chemical storage and assess feasibility of using purpose build fully bunded tanks. Report your findings and any proposed improvement actions to NRW by 10/12/21.

Waste batteries were stored in battery bins without lids, or lids not fitted properly, also some batteries were stored outside of bins. Bins were not labelled and batteries exposed to water ingress.

**Action 10** - store waste batteries in sealed suitably labelled containers - with immediate effect.

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](mailto: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](mailto: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.