

Compliance Assessment Report CAR_NRW0039090

Permit being assessed: BJ9681IX.

For: Oakenholt Mill EPR/BJ9681IX, held by SCA Hygiene Products UK Limited
At: OAKENHOLT PAPER MILL CHESTER ROAD , FLINT, FLINT, CLWYD, CH6 5PU.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 17/12/2021.

Parts of permit assessed: Q3 Monitoring

NRW Lead Officer: Paul Challender.

Report sent to: Mark Turner, Environment & Quality Engineer on 17/12/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	Permit Condition 1.1.1
E3 - Emissions - Surface water	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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
1	4

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
C2	Train staff to improve effectiveness of sampling and analysis	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.

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

Q3 Monitoring Returns

Q3 monitoring returns covering the period from 01/07/21 to 30/09/21 were submitted by the required deadline as specified in Permit Condition 4.2.3(a). The original submission contained a reporting error which, was identified by the operator and re-submitted the following day, thank you.

Monitoring was undertaken as required by Permit Condition 3.3.1, Schedule 3(B), Table S3.2. All monitored emissions for W1 & W2 were compliant with the relevant emission limit values specified by Permit Condition 3.1.2 and Schedule 3(b) of the permit, apart from suspended solids at emission point W1.

Suspended solids at W1 have breached the emission limit value of 50 mg/l several times during the reporting period with values of 86.9 mg/l, 51.8 mg/l & 63.2 mg/l reported in the returns for this period. Breaches for suspended solids at W1 have been the subject of Schedule 5 submissions and a root cause investigation which, is believed to have identified the issue in monitoring data.

It was highlighted to Natural Resources Wales (NRW) officers that there were deviations in the results of internal laboratory monitoring results and those returned by the operator's MCERTS external laboratory. During the operator's investigation into these deviations and breaches, the process instrumentation was inspected and cleaned but breaches still occurred. Due to further investigation, the root cause has been identified. Inconsistencies in preparing internal testing samples are deemed to be the cause due to siphoning from the external laboratory sample prior to agitation. This is believed to have effectively condensed the amount of suspended solids in the sample going to the external laboratory. Testing was conducted with the operator's MCERTS provider, the results of which appear to support this conclusion. Internal testing sampling procedures have been reinforced to the teams involved and additional improvements have been made to the cleaning and maintenance of effluent treatment plant (ETP) equipment and instrumentation going forward.

The exact concentration of suspended solids released from W1 has been unknown for an unknown duration as it has not been identified how long internal sampling has been subject to error. Therefore, potential breaches of this elv have been occurring and erroneous monitoring data has been reported. In addition, actual breaches identified by the MCERTS laboratory were subject to an unknown amount of settling time and/or agitation prior to the sample being split, further casting doubt on reported values. The operator's root cause analysis identifies procedural issues during sample splitting and therefore a score has been generated against this criteria for Q3, see below.

Action: *Considered already complete.* The operator has already identified the issue of incorrect internal sampling and analysis procedures and deployed a staff competency/training intervention. The suspended solids parameter should be monitored to be sure of the resolution of this issue.

Score: (C2) Management system and operating procedures. Permit Condition 1.1.1. CCS 3.

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.