

Compliance Assessment Report CAR_NRW0039375

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 30/12/2021.

Parts of permit assessed: Q4 Returns and Annual Report

NRW Lead Officer: Paul Challender.

Report sent to: Mark Turner, Environment & Quality Engineer on 15/02/2022.

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
E1 - Emissions - Air	C3 Minor	Permit Condition 3.3.1, Schedule 3(b), Table S3.1. CCS 3.
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	Permit Condition 4.2.3, Schedule 4(b), Table S4.1
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
3	8.1

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
C2	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.	Already completed
E1	Keep NRW apprised of developments with the planned improvements to this boiler and agree a completion date with the regulating officer.	30/04/2022

Criteria	Action needed	Complete by
G4	For actions 2 & 3. Submit missing data to NRW.	22/03/2022
G4	Interpretation and review of gathered data should be conducted and submitted in the next annual report.	31/01/2023

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 Compliance Assessment Report (CAR) has been raised by the reviewing Natural Resources Wales (NRW) officer to review the recently submitted monitoring returns. NRW received Q4 emissions monitoring, annual air monitoring and performance returns for 2021 by email on 24/01/22 as per permit requirements. Elements of monitoring were not supplied in the submission, these omissions are detailed below.

Q4 Monitoring Returns

Q4 monitoring returns covering the period from 01/10/21 to 31/12/21 where submitted by the required deadline as specified in Permit Condition 4.2.3(a).

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

This monitoring submission identifies a breach of the 50 mg/l TSS emission limit value (elv) at 71.6 mg/l. Due to identified breaches work was completed by the operator to identify the root cause of suspended breaches. The root cause is believed to be issues with sampling methodology and training has been rolled out to relevant staff to prevent this issue occurring again. The operator believes that no actual breaches took place however, it is not possible to confidently confirm this assertion. As the breaches are reported by an MCERTS laboratory and this breach took place in a new reporting quarter, a score is applied below. The operator is however, commended on prompt investigation, resolution and reporting of this issue.

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

Action 1: *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.

Annual Returns

A *Priority Hazardous Pollutants screen* is required to be conducted annually by Table S3.2 for emissions to water. The results of this screen appear for reporting purposes on the Water 1 form across three rows: *Total Mercury and its compounds*, *Total Cadmium and its compounds*, and *Dangerous Substances Screen*. These boxes were greyed out in this submission and were not reported in any of quarters 1 - 3. The omission of this parameter represent a breach of permit conditions.

Score: (G4) Reporting and Notification to Natural Resources Wales. Permit Condition 4.2.3, Schedule 4(b), Table S4.1. Consolidated CCS 4.

Action 2: Submit missing data to NRW by 22/03/22.

Annual limits listed in Schedule 3(b), Table S3.3 for emissions to water are required to be reported annually as per Permit Condition 4.2.3, Schedule 4(b), Table S4.1 on the form Water 2 or other form as agreed in writing by NRW. This data was not present in the submission to NRW and represents a breach and the score has been consolidated with the reporting score above.

Score: (G4) Reporting and Notification to Natural Resources Wales. Permit Condition 4.2.3, Schedule 4(b), Table S4.1. Consolidated CCS 4.

Action 3: Submit missing data to NRW by 22/03/22.

Annual monitoring for emissions to air was reported as required by Permit Condition 3.3.1, Schedule 3(b), Table S3.1. Emission Point A1 is a single stack with two flues for the two boilers within the boiler house. The two emission points are referenced as A1a and A1b. A1b has breached the NO_x elv. Discussions have taken place between the operator and NRW and plans are underway to resolve the issue this financial year to bring the older of the two boilers into compliance with the elv. This breach of the limit has generated a compliance score.

Score: (E1) Emission to Air. Permit Condition 3.3.1, Schedule 3(b), Table S3.1. CCS 3.

Action 4: Keep NRW apprised of developments with the planned improvements to this boiler and agree a completion date with the regulating officer.

The Performance 1 form was received and fully populated with the required data.

Permit Condition 4.2.2(a) requires *a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data*. Only data was received from the operator. The operator should, for the next submission review and comment upon data trends (quarterly and yearly) highlighting and issues with monitoring, and improvements or deterioration in recorded emissions. For example the recent issues in relation to TSS and NO_x and their resolution could be outlined. An action only is applied in this instance.

Action 5: interpretation and review of gathered data should be conducted and submitted in the next annual report.

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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.