Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report CAR_NRW0039493

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: Audit, Reason: Routine.
On 28/01/2022 between 10:00 and 16:30.
Parts of permit assessed: Emissions Monitoring - Boiler 7

NRW Lead Officer: Stuart Ross, accompanied by Emma Pierce.
Report sent to: Jamie Hill, Utilities Manager on 09/03/2022.

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	C3 Minor	3.3.1
C1 - General Management - Staff competency/training	C3 Minor	1.1.1

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

Total number of non-compliances recorded	Total non-compliance score
2	8

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	Refer details section	31/03/2022
C1	Refer details section	29/04/2022

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 an Operator Monitoring Assessment (OMA) audit for boiler 7 that is a biomass incinerator subject to the requirements of Chapter IV of the Industrial Emissions Directive.

The audit covered periodic and continuous monitoring. For the full findings of the audit please refer to the OMA report dated 28/01/22.

The audit identified a number of permit condition breaches that are detailed below along with the associated actions.

1. CEMS Calibration (EN14181)

The operator failed to carry out an AST in 2021 (report for July 21 testing written 2022). Ammonia has not been subject to QAL 2 - these issues are in breach of permit condition 3.3.1 in so far that the requirements of EN14181 have not been fully implemented. This attracts an non compliance score of C3.

2. Management Systems

Deficient or absent procedures (e.g. lack of detailed EN14181 provisions, internal audit procedure) and lack of understanding the requirements of the permit (e.g. AST not identified as being incomplete in 2021) are in breach of permit condition 1.1.1. This attracts a non compliance score of C3.

The OMA report includes 11 Actions, some relating to the above permit non compliances and others regarding the provision of further information to NRW.

Actions relating to identified non compliance are as follows;

Action 1 – Review monitoring procedures to ensure the monitoring requirements as set out in the permit are met. You may wish to refer to 'How to Carry Out an Operating Monitoring Assessment' guidance to establish what is expected from monitoring procedures. Sufficient detail must be included to fully implement the requirements of EN14181.Provide NRW with copies of your revised guidance by 29/04/22.Refer Technical Guidance Note M20 for guidance on EN14181.

Action 2 – Staff with roles and responsibilities for emissions monitoring shall receive adequate training to ensure they fully understand and implement the required monitoring requirements of the permit, to include (but not limited to) the implementation of EN14181 QAL2, AST and QAL3. The Utilities Manager must be supported by a suitably trained deputy. Provide NRW with the steps you intend to take along with associated timescales to meet the requirements of this condition – please do so by 29/04/22.

Action 3 – Implement a procedure for the review of CEMS and extractive monitoring data to identify trends and opportunities for minimising non compliance and emissions to the environment. Please do so by 29/04/22.

Action 5 – Provide NRW with a copy of the 2022 QAL 2 report and confirmation that calibration functions have been entered into the DAHS by 31/03/22.

Action 11 – Implement an audit procedure and programme for the auditing of emissions monitoring (including monitoring carried out by SML). Provide a summary to NRW by 29/04/22

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.