

Compliance Assessment Report

Report ID:
CAR_NRW0031768

This form will report compliance with your permit as determined by an NRW officer

Site	Cott Wrexham (Calypso) Manufacturing Site	Permit Ref	AB3094FQ		
Operator/Permit holder	Cott Beverages Limited				
Regime	Installations				
Date of assessment	14/06/2017	Time in	10:00	Out	14:00
Assessment type	Audit				
Parts of the permit assessed	Surface Water Discharge				
Lead officer's name	McClymont, James				
Accompanied by	Frost, Julia				
Recipient's name/position	Liz Huband/ Group Health, Safety and Environment Manager	Date issued	19/06/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	C3	2.3.1
C2 - General Management - Management system and operating procedures	C3	1.1.1 (a)
E3 - Emissions - Surface water	C3	3.1.1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	12
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Natural Resources Wales (NRW) visited the site on the 14th of June 2017, for a pre-arranged visit.

At 10:45, following a review of internal processes, we proceeded outside onto the northern yard, accompanied by you (Liz Huband) and Richard Davies. As we exited the building our attention was drawn towards the compactor location, where a site operative was actively jet-washing the yard. It was apparent that the run-off from the jet-washing was running across the yard and into a surface water drain. In addition, run-off was observed from the area around the orange tanker which was running across the yard into a second surface water drain, and via an overflowing foul drain into the same surface water drain. We immediately asked for the jet-washing to be ceased.

Upon examination, both surface water drains appeared to contain un-clean discharge, and a considerable amount of detritus. See photographs below:



We enquired with you and Richard, as to whether the drainage leg on which the two drains are located was the leg which had been bunged due to a previous issue, and asked for a downgradient surface water manhole to be lifted (Manhole A).

At 10:51, Manhole A was lifted. Upon inspection, it was clear that this leg had not been bunged, and an un-clean discharge with a slow, but noticeable, flow was observed. There was also a

strong odour.

See photograph below:



As a result a formal sample was taken and a portion of it left with you, and you were asked to block the discharge to stop any further discharge of contaminated effluent to controlled waters.

See photograph below:



This discharge is in breach of your permit which only permits clean and uncontaminated rainwater to be discharged to controlled water, **breach permit condition 3.1.1.**

At 11:23, surface water Manhole C (within the front car park) was also lifted. Manhole C also has two legs converging within it. From the western leg, there was a "clear" discharge with a slow, but noticeable flow.

See photograph below:



Considering the dry conditions, it was considered unusual for there to be any flow in the surface water drain. You mentioned at this point that you had recently discovered a leak in the boiler

condenser which may be the source of the "clear" discharge.

A formal sample of the "clear" discharge was taken and a portion of it left with you.

At this point it was noted that Manhole C and an adjacent interceptor were incorrectly labelled on the site drainage plan.

At 14:26, we received a Part A from you which explained that "The site has a regular delivery of pure orange which is contained within a tanker. The Tanker is left on site and connected to a pipe system which is located in the sites rear yard. The connection between the tanker and the pipework has leaked which has resulted in orange syrup 'flowing' down the yard which has proceeded to the site surface water drain. There also appeared to be a clear discharge into the surface water drain to the front of the site". You stated that the measures taken, or intended to be taken, to stop the emission were "Drain covers have been placed over the site surface drains. Another bung ordered for the surface water drains to enable the drain to be flushed out and cleaned. Camera survey ordered for 15/06/2017 to establish the clear water run into another manhole at the front of the site and also to establish why the orange tanker drain is not emptying. Investigation into the leak from the connection to the tanker".

On the 15th of June, we received an e-mail from you stating that Manhole C had received a bung, preventing any liquid in the surface water drains from leaving the site. The orange tanker area has been "bundled off" using spill kits whilst this area is cleaned. You have arranged for a tanker to visit the site on the 21st of June to flush out the surface water drains. A camera survey has been undertaken in order to establish the source of the "clear" discharge in Manhole C.

On the 16th of June, we receive an e-mail from you with further information regarding the flush out of the surface water drains to be undertaken on the 21st of June. Following the "flush", all water will then be pumped back out of the drain and taken away by tanker - this will include any debris from the drain. The yard is not being washed down and the surface water drain gulley covers are still covered up to prevent any contamination. You will be investigating the condition of the yard and improved cleaning procedures, with training for staff on these.

The site's permit application states "In addition to the process effluent, uncontrolled surface water run-off is discharged to the River Dee. Within this surface water drainage system there is an automatic sugar meter which is linked to electronic devices worn by personnel within the factory. This ensures immediate identification of a spillage, which can be mitigated through the closing off of the drain valves to prevent the materials from entering the River Dee".

It has been previously established that there are no sugar meters on the surface water system. A brix (conductivity) meter has been purchased, but was not in place in the surface water drain on the 14th of June. NRW were advised that this meter would be installed and operational by the end of May 2017.

The installation should be operated in line with the application, unless otherwise agreed with Natural Resources Wales. On the 14th of June, the site was operating in **breach of permit condition 2.3.1**.

Jet-washing of the yard, with the run-off flowing into a surface water drain has been seen to introduce contamination to the surface water system. Any procedure related to the washing down of the yard should take into account the Permit requirement for only clean and uncontaminated water to enter the surface water drainage system. Either a robust procedure is not in place, or this procedure was not being followed on the 14th of June, resulting in a **breach of permit condition 1.1.1 (a)**.

NRW received a procedure entitled Orange Tanker Management on the 7th of April 2017. This procedure states that "Spill tray must be positioned under where the tanker and hose are

connected this will contain any drips which may leak from the connection".

As shown in the photograph below, taken on the 14th of June, this procedure was not being followed, as the spill tray was not in the required position:



In addition, the procedure states that "Daily checks of the area to be undertaken to ensure that there are no leaks and to empty the spill tray if required". As can be seen in the photograph below, the effluent drain adjacent to the orange tanker was overflowing to the surface water drainage system:



The Orange Tanker Management procedure was not being followed on the 14th of June, resulting in a **breach of permit condition 1.1.1 (a) (consolidated in breach above)**.

Actions

- Block the discharge to stop any further discharge of contaminated effluent to controlled water (you confirmed on the 15th of June that a bung was in place in Manhole C);
- Do not remove the bung from Manhole C until you have provided NRW with confirmation that:
 - no further contaminated discharge will be discharged to the surface water drains;
 - the un-clean discharge in all surface water drains has been disposed of correctly;
 - that the source of the "clear" discharge in Manhole C has been identified (and stopped if required); and
 - the brix meter has been installed in the surface water system and is operational.

By the 30th of June 2017:

- Provide NRW with a copy of the procedure for the operation of the brix meter, and associated alarm system;

- Provide NRW with the results of the camera survey conducted on the 15th of June, and of your investigations into the source of the "clear" discharge and why the orange tanker drain is not emptying;
- Provide NRW with the results of your investigation into the leak from the connection to the orange tanker;
- Provide NRW with a copy of an updated site drainage plan, with the correct layout regarding Manhole C and the interceptor;
- Review the most recent drainage survey results to ensure that there are no further errors on the drainage plan;
- Investigate why the surface water drains have so much debris in them and what measures will be put in place to stop this build up in the future;
- Provide NRW with a copy of the current yard cleaning procedure;
- Provide NRW with a copy of the "improved" yard cleaning procedure, and details as to when staff were trained in it's use.

EPR Compliance Assessment Report

**Report ID:
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Operator/Permit holder	Cott Beverages Limited	Date	14/06/2017

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
E3	C3	See text of CAR form	30/06/2017
A1	C3	See text of CAR form	30/06/2017
C2	C3	See text of CAR form	30/06/2017

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.