

Compliance Assessment Report

Report ID:
CAR_NRW0032616

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	05/12/2017	Time in	10:00	Out	13:00
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)/ Gareth Jones (HSE Manager)	Date issued	19/12/2017		

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
E3 - Emissions - Surface water	X	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Site visit - 05/12/2017

An initial meeting was conducted with Liz Huband (LH, Group Health, Safety and Environment Manager), Gareth Jones (GJ, HSE Manager), Darren Russell (DR, Maintenance Manager) and Gareth Higgins (GH, Syrup Room Manager).

The surface water system was still closed at Manhole C, preventing any surface water from leaving the site. LH said that they would like to open the drain today, following NRW approval. The pH and electrical conductivity (EC) probes in Manhole C were operational, had been tested using buffer solutions, and will be tested weekly. A reset button had been installed, if this has not been pressed within 1 hour of a limit exceedances then an electronic notification is sent to GJ. DR has responsibility for maintenance of the probes.

A site walkover was then undertaken. The new water bottling line was observed with production due to start in the w/c 5th December 2017. 37 new staff members have been employed as a result of the new line.

A blue flashing beacon was observed within the process room, which has been installed to alert employees to a breach of the pH and EC limits in Manhole C. Employees should then notify their supervisor.

Outside the building it was noted that external storage areas had been re-arranged. The Operator should ensure that external storage is appropriately bunded and in accordance with Improvement Condition responses. Four surface water drains in the rear yard had been sealed with concrete, and signage had been installed stating that unloading product should only take place on area of the yard where the surface water drains had been sealed. Paul Sellars (PS, Site Leader) joined us at this stage.

The new orange juice silo is to be placed within the external bunded area. PS confirmed that the bund had been designed with this in mind, but this should be confirmed to NRW.

The drainage leg which runs below the factory was still blocked off, with repair works starting on the collapsed effluent drain in the w/c 18th of December 2017.

NRW agreed that Manhole C could be opened, to allow surface water discharge to resume. Manhole C was then opened in the presence of NRW. It was noted by NRW that the EC probe appeared to be too high to remain submerged when water flow was low. NRW recommended that this probe be lowered to as close as possible to the base of the chamber.

The readout from the probes was observed, and it was suggested to DR that an early warning level could be applied to the probes. Rather than a notification being sent when the limits have been exceeded, a notification when the levels are approaching the limits might be useful (i.e. warning limits), so that increasing trends are noticed prior to limit exceedances.

GJ explained that Biffa are being brought in to manage on site waste, with an on-site "recycling centre" which should be in place by March 2018. This will be managed by 2 Biffa employees overseen by GJ.

There was some surface water pooling in a low point in the yard next to the external dry packaging storage area. GJ suggested than a drain should be installed at this low point.

Actions

Please complete the following and provide evidence to NRW by the 31st of January 2018:

1. The Operator should ensure that external storage is appropriately bunded and in accordance with Improvement Condition responses;
2. Confirm that the external bunded area is of adequate capacity to contain the new orange juice silo;
3. Lower the EC probe to as close as practicable to the base of the chamber;
4. Provide plans to cover trend analysis for the probe data, including the setting of 'warning' limits.

EPR Compliance Assessment Report

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Operator/Permit holder	Cott Beverages Limited	Date	05/12/2017

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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	X	See comments section	31/01/2018

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.