

Compliance Assessment Report

Report ID:
CAR_NRW0026857

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	05/01/2017	Time in	14:10	Out	16:35	
Assessment type	Audit					
Parts of the permit assessed	Surface Water Discharge					
Lead officer's name	Frost, Julia					
Accompanied by	Bebb, Carys					
Recipient's name/position	Richard Davies/ HSE Coordinator	Date issued	09/01/2017			

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 - Infrastructure - Specified by permit	C3	2.3.1
E3 - Infrastructure - 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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

A meeting was held between NRW, DCWW and the Operator following the pollution issue highlighted in December.

In lifting manhole A on site we were able to confirm that there were two lines running into this manhole. The drainage plan included in the permit application only shows one line.

From the drainage survey carried out by DCWW the right hand leg seems to go under the grassed area and be fed by the surface water grids on the roadway.

From the drainage survey carried out by DCWW the left hand line comes from the direction of the tanks on site with the next upstream manhole being near to the tanks by the building. This line had a steady flow despite the dry weather.

A sample was taken from this line at manhole A. There was a strong odour of apple in the sample. This discharge is in breach of your permit which only permits clean and uncontaminated rainwater to be discharged to controlled waters, breach permit condition 3.1.1.

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

Surface water manhole B (within the bulk storage area) was also lifted - there was a steady flow at this manhole but the previous weeks had been dry.

A further survey of this line is to be carried out on 9 Jan 17 which it is hoped will highlight the source(s) of the contamination.

In the short term, whilst the outfall is blocked, you intend to over pump the effluent in the surface water line to the foul sewer line so that it is discharged to foul sewer. As it is not clear yet how the foul effluent is entering the surface water system you will need to make regular checks when overpumping to ensure that what you are pumping is in fact entering the foul system.

Regular checks should be made to the drainage system whilst the drain is blocked to ensure it doesn't cause an issue elsewhere.

Dye was placed down the drain in a number of locations whilst we were on site. Please regularly check the surface water drains over the next few days to assess whether the dye has entered the surface water system.

The site's permit application states "*In addition to the process effluent, uncontaminated 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 became clear during the meeting that there are no sugar meters on the surface water system and it would appear

that there are no control measures to ensure that only clean and uncontaminated water is entering the surface water system.

The installation should be operated in line with the application, unless otherwise agreed with Natural Resources Wales. It would appear that inaccurate information was included within the permit application and as a result the site is currently operating in breach of permit condition 2.3.1.

The Operator is required to:

- Stop the discharge to controlled waters (confirmation was received on 6/1/17 that this has been carried out)
- Provide regular updates on progress until the issue with the drainage system is resolved
- Complete a full drainage survey, including cctv, of both surface water and foul drains and provide NRW with an updated plan by end February 2017
- Ensure adequate control measures are in place so that any spillage to the surface water system is detected, details to NRW by 20 Jan 2017 of proposed measures - both short term fix and a longer term permanent fix.
- Review the permit application to ensure that all details within it are accurate. Update and apply for a permit variation as necessary by end March 2017.

EPR Compliance Assessment Report

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Operator/Permit holder	Cott Beverages Limited	Date	05/01/2017

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	09/01/2017
A1	C3	See text of CAR form	31/03/2017

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.