

Compliance Assessment Report

Report ID:
CAR_NRW0032206

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	03/10/2017	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	1.1.1, 2.4.2, 3.3.3				
Lead officer's name	McClymont, James				
Accompanied by					
Recipient's name/position	Liz Huband/ Group Health, Safety & Environment Manager	Date issued	03/10/2017		

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
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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

Responses to CAR_NRW0031836

We received your initial responses to CAR_NRW0031836 before the 31st of August 2017, as requested. We then requested some further information on the 7th of September 2017, which you have provided.

Please see below our outstanding comments regarding your responses to date.

Improvement Condition 2 (IC2)

IC2 should have been completed by the agreed extended deadline of the 31st of March 2017, and we should have been notified of its completion 14 days following this date.

It is understood that all of the requirements of IC2 are now complete, with the exception of Bund 1, which now may not be required if the new orange tank is to be installed within Bund 2. Final surfacing of Bund 2 was being undertaken during our site visit on the 3rd of July 2017, which confirms that IC2 was not completed by the 31st of March, as required. This breach of Permit condition 2.4.1 was scored in CAR_NRW0031836.

In CAR_NRW0031836 we requested written notification stating that all elements of IC2 had now been installed by the 31st of August. We received this written notification on the 12th of September 2017.

Action 1: Cott should ensure that actions agreed with Natural Resources Wales are tracked and that agreed deadlines are adhered to.

Surface water drainage

It is understood that all surface water drains and the interceptor have now been cleared and cleaned, and that four surface water drains in the rear yard are to be sealed using concrete. The conductivity and pH probes have now been installed in Manhole C. At present, should the limits be exceeded a light will flash to inform operatives, you are also looking to install a telemetry system to keep a record of the results.

In CAR_NRW0031768 we stated that the bung should not be removed from Manhole C until you have provided us with confirmation that:

1. no further contaminated discharge will be discharged to the surface water drains;
2. the un-clean discharge in all surface water drains has been disposed of correctly;
3. that the source of the "clear" discharge in Manhole C has been identified (and stopped if required); and
4. the brix (*now conductivity and pH*) meter has been installed in the surface water system and is operational.

If the operator is confident that the above have been completed, then the bung in Manhole C may be removed, provided we have received a robust procedure for the use of the probes and the closure valve, and evidence regarding training provided to site operatives.

You have confirmed that the site drainage will have a CCTV survey within a minimum 3 years, maximum 5 years timetable.

The conductivity meter will be set with a limit of 1000 µs/cm, and the pH meter with a limit range of 6-8, which are the limits agreed with the Environment Agency at other Cott Beverages sites.

Action 2: Provide NRW with a completed procedure for the use of the conductivity and pH meters, including the closure valve, and evidence regarding training provided to site operatives by the 31st of October 2017.

New effluent arrangements

The new effluent drains in the rear yard will be inspected during future audits.

EMS procedures

The adequacy of current EMS procedures will be reviewed during future audits.

FMEA

You have stated that the FMEA format you have used is conducive to 6 Sigma Lean engineering. It is our understanding that this system involves the calculation of risk priority numbers (RPN), which are not included in your FMEA. The adequacy FMEA will be reviewed during future audits.

Compactor waste

You have confirmed that the waste from the compactor is classified by your waste contractor Suez as EWC 20 03 01, 'mixed municipal waste'. There is no compactor on site at present, and the proposed new compactor is to be a "Portarush 2000 with adapted area at front to hold any liquid to then go into new effluent drains which were being put it at your new waste compound area".

Directly discharging waste liquid directly to the effluent will impact the concentration of parameters at S1. It would be pertinent for you to inform Welsh Water of this proposed change.

Action 3: Provide NRW with a procedure for the emptying of the liquid from the new compactor, and evidence regarding training provided to site operatives by the 31st of October 2017.

Action 4: Confirm that Welsh Water have been informed of the proposals to discharge liquid from the compactor directly to the new effluent drain by the 31st of October 2017.

MCERTS certification

Condition 3.3.3 in your Permit requires that all 'monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme and the environmental or other monitoring specified in condition 3.3.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by Natural Resources Wales'.

Compliance with this condition will be reviewed during our next audit.

END

EPR Compliance Assessment Report

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Operator/Permit holder	Cott Beverages Limited	Date	03/10/2017

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			
G4	X	See comments section	31/10/2017

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.