

Compliance Assessment Report

Report ID:
CAR_NRW0032433

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

Site	Princes - Cardiff EPR/BX8289IW		Permit Ref	BX8289IW	
Operator/Permit holder	Princes Ltd				
Regime	Installations				
Date of assessment	06/10/2017	Time in	10:00	Out	14:00
Assessment type	Audit				
Parts of the permit assessed	Containment, annual returns				
Lead officer's name	Willey, David				
Accompanied by					
Recipient's name/position	Mark Thomas/ EHS Manager	Date issued	10/11/2017		

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
B5 - Infrastructure - Plant and equipment	C3	2.3.5
C4 - General Management - Storage, handling labelling and Segregation	C3	2.2.5.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	5.1.1

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)	8.1
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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

Princes Soft Drinks Division

Present:

David Willey – NRW

Mark Thomas – EHS Manager

With participation from:

Stuart Atkinson – Site Manager

Tina Crocker – Engineering Manager

Proposed agenda for meeting

1. Site update / previous actions
 2. Emergency response
 3. MCPD implications
 4. BREF update
 5. Annual returns
 6. Transfrontier Shipment of Waste (TFS)
 7. Containment audit
-

1. Site update / previous actions

Actions from previous Car Form

ACTION: The Food and Drink Sector (EPR 6.10) How to Comply document sets out indicative BAT for point source emissions. Point 3 of page 24 requires there to be contingency measures to prevent accidental discharges to prevent overloading of the treatment. The Operator needs to demonstrate compliance with condition 2.2.5.1 of the permit in relation to BAT. This will aid the site to allow a controlled discharge to sewer and demonstrate control measures for potential accidents. - **Completed.** The site has provided an

updated Accident Management Plan to reflect all potential spillages on site. The containment audit also looks to identify gaps in the AMP.

ACTION: Princes should look to progress their variation permit application to ensure that the site is meeting the BAT requirements as well as demonstrating measures to control unexpected spills / flows. - **Completed.** The site has submitted an updated AMP that shall be reviewed every 2 years or after an accident on site or after any changes.

ACTION: Operator to supply an updated version of the Accident Management Plan in line with condition 2.8 of the permit. The document How to comply with your environmental permit should be used as guidance for the accident management plan. The plan should detail all potential accidents and the measures in place to mitigate against them. Where the current measures are not adequate / in line with BAT the Operator shall propose details of measures to bring the site into compliance with associated timeframes. Deadline for submission 4th March 2016. - **Completed.**

ACTION: Operator to review the EMS and make changes to the waste area to prevent emissions of litter. **Completed.** - The waste area has been improved with the bins stored under a lean to roof as well as the bins having lids. The site has changed waste contractors to a local company called Forward Waste who have been very proactive in assisting the site. Photo 1 has the current setup for the waste area.

Photo 1: Waste area



ACTION: Operator to make the permit available to relevant staff. - **Completed.** Has been made available at the employees' entrance.

ACTION: The Accident Management Plan has not been received by NRW. This is a requirement of condition 2.8.1 of the permit. Please could you submit to NRW by June 2016. - **Completed.**

2. Emergency response

The site has been undertaking training as part of the ISO 14001 requirements on what to do in the event of a spill on site. This involves the use of spill kits and undertaking drills. This will lead to the procedures being updated at the site.

ACTION: Site to ensure all contact details used to contact NRW are up to date with the following details:

Immediate notification – 03000 65 3000 and by email to the NRW Incident Communications Centre: icc@cyfoethnaturiolcymru.gov.uk

There is also a back-up fax number: 02920 462 513, but this should only be used if email is inoperable for some reason.

The permit no longer allows for notification within 24 hours, as the standard conditions require immediate notification for all permit breaches. However, in practice minor breaches of ELV will not require immediate notification via the 03000 incident number and ICC, but should be emailed to:

Site officer: david.willey@cyfoethnaturiolcymru.gov.uk

Regulatory Assistant: elizabeth.parr@cyfoethnaturiolcymru.gov.uk

There have been three incidents on site resulting in spillages that did not have an impact off site.

Incident on 1st July 2017 – an accident/incident interim report was put together. The report provides a photo of the scene, a background to the incident, underlying cause/analysis following the ‘5 Whys’ technique and lastly counter measures. This incident occurred inside the process area with any liquids being captured by internal drainage.

ACTION: Please confirm whether any of the spilled cranberry was lost to the sites surface water drainage system or was it contained within the sites effluent lines?

Incident on 4th September 2017 – Accident/incident interim report was produced. The incident identifies the need for a SOP for this work. The incident does however highlight the effectiveness of the spill kits in containing and cleaning up the spillage.

ACTION: Site to inform NRW the techniques to prevent the contents from reaching surface water drains if there is high rainfall at the time of the incident. High rainfall would dilute the viscous contents and may lead to contamination of the surface water drains.

Incident on 20th September 2017 – Accident/incident interim report was produced. The incident identifies a review of the relevant SOP. Again, the incident highlights the effectiveness of the spill kits in containing and cleaning up the spillage.

The three incidents follow the sites EMS to investigate and undertake a root cause analysis with resulting actions. These reports prove to be very useful for improving operations on site. However, these incidents were not reported to NRW.

The site should be reporting these incidents to NRW using the Notification of abnormal emissions in schedule 1 of the permit. **Considered a category 4 breach of permit condition 5.1.1** as on this occasion there was no impact off site.

ACTION: Site to include a requirement in their EMS to use the notification Schedule as required by condition 5 of the permit and the associated Schedule 1 – Notification of abnormal emissions.

ACTION: Site to look at the response to a large spill on site. There could be a period until the tanker arrives at site to pump off the spilled liquid. Operator to check the containment capacity of the spillage in the interim period?

3. MCPD implications

The Engineering Manager Tina Crocker confirmed the size of the boilers at the site as having the equivalent of one 2MWth standalone boiler. The impact that MCPD will have on sites already permitted is yet to be confirmed with guidance yet to be produced. NRW will advise once guidance implemented.

4. BREF update

The Food, Drink and Milk BREF process was discussed and an update on the status provided. A second draft version is likely to be available in the new year. The BAT conclusions should be considered when making any changes at the site.

5. Returns

E-PRTR

The annual PRTR was received with some additional information requested.

Accident Management Plan

Updated accident management plan received in September 2016.

Annual report

The annual report included the management review minutes where on page 35 refers to refrigerant equipment leaks. The report states that the quantity released was low.

The leakage of 80kg of R134a was identified following the maintenance of the refrigeration and air conditioning equipment.

EC Regulation No 517/2014, which came into force in the UK on 1 January 2015, is designed to reduce emissions of fluorinated greenhouse gases (F Gases), used predominantly in the refrigeration and air conditioning sectors and which make a significant contribution to climate change.

The EC regulation is directly applicable in the UK so no domestic legislation is needed to implement its main provisions.

The Global Warming Potential (GWP) of R134a is 1430. This equates to 114.4 tonnes CO₂.

Considered a category three breach of permit condition 2.3.5 for maintenance where 'All plant and equipment used in operating the Permitted Installation, the failure of which could lead to an adverse impact on the environment, shall be maintained in good operating condition.'

The GWP of the leaked gas could foreseeably result in a pollution that would impact on the environment. In this case the pipework eroded quicker due to the coastal location of the site and the potential erosion because of the sea water in the air. This should have been a consideration on installation of the equipment and factored into the maintenance regime.

The site has updated their maintenance checks and inspection of the refrigeration and air conditioning equipment. Any losses should be reported to NRW using the Schedule 1 Notification form.

ACTION: Site to provide details of the updated maintenance checks as well as ensuring the accident

management plan, planned preventative maintenance, fugitive emissions plan and the EMS are updated. The requirements of the Regulation (EU) No.517/2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 should be taken into consideration, specifically Chapter II Containment.

A copy of the recent bsi Assessment Report undertaken on the 16th August 2017 was supplied. The report highlighted the need for testing of the emergency preparedness arrangements as well as there being additional corrective actions. The site was recommended for continued certification of BS EN ISO 14001:2004/2015.

R1

Waste quantities are much higher than in previous years. The site has stated that there are a number of continuous improvements underway to reduce waste and to improve operational efficiency.

WU1

A reduction in the total water usage has been reported as well as a reduction in the finished product.

E1

The site has identified continuous improvement projects to reduced energy and resource usage on site.

ACTION: Please confirm the figure in the Trends in Energy Usage table is correct. The figure inputted is 10221MWh but the table for 2016 has a total Primary Energy of 15128.461MWh.

PI1

The site has identified continuous improvement projects to reduced energy and resource usage on site.

S1

The annual calibration and inspection of the MCERTS effluent meter was unable to be achieved successfully due to the reduced effluent flow. A new effluent flow meter is due to be installed on the 16th October 2017.

The WWTW permit limit for pH has been breached. NRW were not informed as there is no limit in the permit held with NRW. Table 2.10.1 of the permit original BX8289IW only requires monthly monitoring of pH as well as continuous effluent flow, suspended solids and COD.

M1

Mass release to sewer - no comments.

6. Transfrontier Shipment of Waste (TFS)

All waste generated on site is removed from site using the waste transfer company Forward Waste Management Limited permit number EPR/AB3099FT. Waste generated by the site is subsequently dealt with by the waste contractor and any TFS audits should be undertaken with them. All tetra waste is bailed

on site and sent to Hull for further recycling.

ACTION: Princes to inform NRW of the destination of the tetra waste following processing at the Hull site. Waste juice generated at the site is tankered off by the waste contractor to Stormy Downs AD facility.

7. Containment audit

As part of Natural Resources Wales' ongoing compliance work we will be undertaking audits of the tanks and the associated containment in place at Food and Drink Sites regulated by Natural Resources Wales.

The audit will be undertaken in line with the permit condition for releases from liquids in containers where it states:

All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or, where that is not practicable, to minimise, leakage and spillage from the primary container.

For permits without the most up to date condition the most relevant condition will be identified and used. Further clarification on the requirement of this condition can be found in the document How to comply with your environmental permit.

The objective is to ensure sites are compliant with the permit condition and that any risks are identified and avoid the potential for an environmental incident. This is a Wales-wide approach to ensure consistency, proportionality and fairness in NRW's regulation across the sector.

A separate audit report will be produced and sent to the Operator. The below recommendations are as a result of the audit.

Aroma stores

A surface water drain is located outside of the aroma stores. There is a French drain to contain spoils within the store but if a spill were to occur just outside of the store it could drain to the surface water. Operator to consider temporary containment measures during works in the area or alternative measures.

Chilled aroma stores

The chilled aroma store as an internal drain that drains to a bunded area. Although this is contained the associated pipework does not appear to lead directly to the effluent drain and would be difficult to undertake maintenance checks. Operator to consider improving pipework under the aroma store.

Yard storage area

There are several barrels stored in the storage yard. All of which are secured and have internal bags to contain the liquid. In addition, the liquid itself is quite viscos as detailed in the two incidents that have occurs. The operator should consider what the implication would be if a spill would occur when coinciding with high rainfall and subsequent dilution.

During the audit a number of barrels were stored over the bunded area (photo 2) giving the potential to discharge directly to surface water. These barrels are not being stored appropriately and have the potential to impact surface water drainage.

Considered a category breach of permit condition 2.2.5.1 for fugitive emissions of substances to water and sewer. The likely impact would be localised to the point of discharge and have a minimal effect on water quality.

ACTION: Operator to ensure the storage of barrels are stored within the bunded area to ensure that any spillages can be contained and avoid discharge to the surface water drains.

ACTION: Operator to investigate the use of the interceptor located to the south west of the site as a measure to prevent further pollution in case of an incident in the yard.

ACTION: What steps are in place to ensure there is no pollution in the event of a fire and the resulting firewater.

Photo 2: Inappropriate storage of barrels



Photo 3: Location of surface water drain in yard area



Waste juice tanker area

There is the potential for a release to surface water drains whilst tankering the waste juice from the site. Photo 4 below shows the pipework coming out from the internal waste juice tanks and a surface water drain. Operator needs to consider temporary covering of the drain during loading or other techniques to avoid the potential for a discharge to surface water.

Photo 4 – waste juice tanker area



END

EPR Compliance Assessment Report

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Site	Princes - Cardiff EPR/BX8289IW	Permit Ref	BX8289IW
Operator/Permit holder	Princes Ltd	Date	06/10/2017

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			
C4	C3	Move barrels within the sites boundary to avoid the potential for spillage	31/01/2018
B5	C3	Ensure PPM / EMS are updated	31/01/2018
G4	C4	Ensure systems are updated to ensure NRW are notified	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.