Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report

Report ID: **CAR_NRW0017489**

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	02/02/2016	Time in	10:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	EMS, AMP, Reporting				
Lead officer's name	Willey, David				
Accompanied by					
Recipient's name/position	Mark Thomas/ EHS Manager	Date issued	29/04/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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**
C2 - General Management - Management system and operating procedures	C4	2.3.3
F3 - Amenity - Dust/fibres/particulates and litter	C4	2.5.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	2.8.1
	C4	2.7.1

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X**= Action only

Number of breaches recorded	**4**	**Total compliance score** (see section 5 for scoring scheme)	0.4

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 (Cardiff) – site meeting and inspection

Overview

Princes provided NRW with a useful overview of the site and updated NRW with changes that have been made to the site as well as a business update. David Willey (DW) has recently taken over regulatory responsibility for the Princes Site taking over from the previous regulatory officer Richard Taylor. The EHS Manager Mark Thomas (MT) has been with the company for over a year and explained that Princes is looking at sustainability across the business.

Previous actions

The last CAR Form issued following a visit on the 8th September 2015 confirmed completion of the outstanding actions from the previous CAR Form dated 1st December 2014. The only outstanding action from the 8th September meeting required the operator to amend the 2014 E1 form, this has been completed.

Permit variation

Princes has been discussing the possibility of installing a tank near to hold the effluent from the site prior to discharge to sewer. The tank and associated equipment has been purchased and awaiting installation. Before this can be completed the design needs to be finalised with associated drawings and engineering as well as applying to vary the permit to increase the site boundary.

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 plant. 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.

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.

Site security

Previous Car Forms has highlighted the potential for security breaches at the site. These tend to occur near to the loading area of Area 69 where there is no security gate in place. Princes have installed a network of security cameras that have been successful in gathering information that has been handed to the police for further investigation. The site itself is operated with a series of fobs to enter the unit's operational areas and is difficult to enter the site without the required fobs. With the potential for the site boundary to be amended to include the new tank and the packaging store (Unit 72) security should be improved and will deter potential incidents.

Health and Safety sheet checked

NRW provided a copy of the current NRW Health and Safety sheet to ensure that the requirements of the site are being adhered to in the safety sheet. NRW will make the changes and ensure it is available for NRW staff if required.

Reporting

The reporting required by the permit was discussed in detail with NRW providing a list of the reports required by the permit with the relevant dates. The annual report for 2015 has not been received by NRW by the end of January 2016, NRW have agreed to a new deadline of the 12th February 2016 for submission. The requirements of the permit are listed below:

2.4.1.2 Waste minimisation audit and water efficiency audit - Review - Every 4 years

2.7.1 Energy Efficiency - Report - Annually

2.7.2 Energy management system - Annual update

2.8.1 AMP - Report update - Every 2 years

2.11.2 Site closure plan Full review - Every 4 years

4.1.2 Annual report Emissions and monitoring - Annually

4.1.3 Annual report Performance - Annually

4.1.4 Annual report Fugitive emissions - Annually

4.1.5 Annual report EMS update/changes - Annually

4.1.7 SPMP Review - Every 2 years

Waste collection

The operator discussed the option of changing from their current waste contractor, DS Smith, to a new contractor Ford Waste. Ford Waste are a local company that are currently in the process of obtaining a permit from NRW.

Site tour

A site tour / inspection was undertaken to help familiarise DW with the site. MT explained the process from material receipt to final storage and export from the site of the product. During the site tour the following actions and observations were made:

Containment in the materials storage area

DW raised concern over the potential for spillage reaching the main road from the storage area. It wasn't clear whether containment had been designed into the construction of the concreted area with a gradient leading up to the gates at the site. Details of the storage tanks and associated bunding / secondary containment shall be provided to NRW. Evidence of spill kits was supplied by MT as well as MT providing training to staff. The smaller drums would be contained with the use of these kits but a rupture of the larger storage tanks would be too much for the kits.

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.**

The drain near the locked storage area was not clearly marked with MT stating that a recent drains survey has been completed, on receipt of this survey DW and MT will have clarity of the receiving drains and where they connect to.

Waste storage area

The waste storage area is well signed posted but the area itself was not well kept or covered and therefore exposed to the weather. This area would benefit from being enclosed with daily / weekly checks being made as part of the EMS. **Considered a Category 4 breach of condition 2.5.2 of the permit where there is no impact on the environment.**

ACTION: Operator to review the EMS and make changes to the waste area to prevent emissions of litter.

Condition 2.3 of the permit states that a copy of the permit shall be available for reference by all staff carrying out work subject to the requirements of the permit. MT confirmed that this is not the case at the moment. The staff would benefit from having access to the permit and become familiar with the requirements and the environmental responsibilities the site has. **Considered a Category 4 breach of condition 2.3.1 of the permit where there is no impact on the environment.**

ACTION: Operator to make the permit available to relevant staff.

Annual returns

Fugitive emissions report annual review in response to condition 4.1.4 of the permit.

Environmental management system annual review against improvement targets in response to permit condition 4.1.5.

The following reporting forms have been received with no comments:

M1 mass release to sewer

R1 for waste disposal and recovery

WU1 for water usage

E1 for energy usage

PI1 for performance indicators

S1 for emissions to sewer

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.

The requirements of the permit were received late in 2016. **Considered to be Category 4 breaches of conditions 2.7.1 and 2.8.1 of the permit as there is no impact on the environment.**

End

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	Date	02/02/2016

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.

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			
F3	C4	Provide cover for the area to prevent fugitive emissions.	02/02/2017
C2	C4	Permit to made visible to staff.	02/02/2017
G4	C4	Create document for submitting requirements of the permit	30/06/2016
G4	C4	Create a document with dates for permit requirement submissions	30/06/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.