

Compliance Assessment Report CAR_NRW0040459

Permit being assessed: BX8289IW.

For: Soft Drinks Site– Cardiff, held by Princes Ltd

At: Portmanmoor Road, East Moors, Cardiff, South Wales, CF24 5HB.

Type of assessment carried out: Audit, Reason: Routine.

On 23/06/2022 between 09:00 and 15:00.

Parts of permit assessed: Environmental Management System

NRW Lead Officer: Geraint Harris, accompanied by Andi Kemp.

Report sent to: John O'Malley, Health, Safety and Environment Manager on 26/09/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
C2	Please review the CAR Form and submit responses to the 7 actions by 20th December	20/12/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Environmental Management System Audit at Princes, Cardiff – June 22

Purpose of Compliance Assessment

All environmental permits under the Environmental Permitting Regulations 2016 contain a condition requiring a written environmental management system (EMS) and implementation of that system, along with evidence and records of its implementation and application. Permit condition 1.3.1 states:

“Without prejudice to the other conditions of this Permit, the Operator shall implement and maintain a management system, organisational structure and allocate resources that are sufficient to achieve compliance with the limits and conditions of this permit.”

The EMS should encompass all processes and operations at the site. Typically, the EMS should set the environmental policy, identify significant adverse environmental impacts, identify and comply with applicable legislation, set environmental targets, audit key processes and be subject to periodic internal and external review. There are also various conditions within the permit that specifically address maintenance, management, accidents, monitoring and resource use. These areas should be supported by the overall management system. Furthermore, The E.C. Best Available Technology (BAT) Reference Document (BRef) for the Food, Drink and Milk Industries also includes environmental management system implementation as a technique to achieve BAT; see section 17.1.1. As part of the permit application process and the ongoing operating techniques, the operator has submitted details of their EMS – this information forms the written intentions of the operator and structure of the EMS.

The audit was planned in advance and an email requesting pertinent information was sent to the operator several weeks in advance. Prior to commencing the onsite audit, NRW asked Princes to provide their Environmental Policy and the last two external 14001 audit reports. The operator was briefed that the NRW auditor would look at the following:

- Environment policy and external 14001 audits
- Review and discuss the impacts and aspects register
- Review and discuss the legal register
- Discuss Princes environmental objectives and targets and continual improvements
- Review and discuss internal reviews and audits of the EMS
- Discuss Princes' organisational chart and the subsequent responsibilities of personnel within the chart.
- Discuss the current permit requirements
- Discuss the management of change procedures
- Discuss the only non-compliances related to missed submission dates.
- Debrief just among NRW officers (approx. 15minutes)

The objectives of this audit were to determine conformity of the management system with relevant guidance (i.e Food and Drink BRef and How to Comply with Your Environmental Permit). It was also to assess Princes' ability to ensure applicable statutory and regulatory requirements are met and to identify where applicable, areas for potential improvement. The conduct of the audit was explained to the operator prior to the visit and during the start of the audit. This comprised of the following:

- Introductory meeting and overview of purpose and scope.
- Desk based review of the main documentary components of the EMS -Including the external assessor reports under the ISO 14001 management system.
- Environmental policy, plans, aspects and legal registers, internal audits and reviews.
- Specific on-site procedures and operational instructions.
- Change management controls within the EMS and how they are used to maintain environmental compliance.

- Audit team de-brief.
- Post audit initial feedback to operator.

The operator was advised that the audit would be diverted or stopped should non-compliance, with the potential to cause significant harm or pollution, be witnessed occurring during the actual audit.

Beyond the day of the audit several activities are typically conducted:

- Request for additional information.
- Clarification of information, discussions, procedures.
- Write audit that includes observations, recommendations and formal actions.
- Submit audit draft and ensure operator is content that this is an accurate assessment.
- Formally submit final audit and actions.
- Track actions with operator.

Overall NRW is seeking confirmation that the site has implemented an EMS, continues to maintain it and support it with appropriate personnel and resource, and audits and reviews its own performance. The overarching objective being to prevent pollution of the environment, select and utilise resources in a sustainable manner and protect people and the site neighbours.

Princes Quality, Safety, Health and Environment Manual (QSHM) has been prepared to define Princes Cardiff Site management systems for quality, health, safety and environment. The QSHM serves to formalise the policies, procedures and operating standards that apply to the company's employees, contractors and suppliers. The company determines the internal and external issues that are relevant to its purpose and strategic direction which affect its ability to achieve the intended results of the QSHM. This section of the manual defines the site policies and standards and how these relate to the management procedures and to BRC, Group certification to ISO 14001:2015 and ISO 45001, CLAS, Environmental Permit from Natural Resources Wales, discharge consent & MCERTS effluent monitoring.

The QSHM sets the scope of the EMS to plant-based activities and describes the various elements of the EMS: environmental policy, aspects and impacts, legal responsibilities, objectives and targets, training, management structure, monitoring and measuring etc. The key things in this document are that it follows the Plan, Do, Check, Act continual improvement cycle and lists in the relevant sections links to other policies and procedures. The EMS is audited internally over an annual cycle, with a schedule of other internal audits over that period. Lastly the management review committee is described and includes the senior department managers and the overall Plant Manager.

Environmental policy

Created in 2017 with the latest review in April 2022. The Group EHS Policy is signed by the Managing Director of Princes Ltd and was observed displayed in all reception area of Princes Cardiff. Princes' policy is "to comply with all relevant EHS legal requirements and any other appropriate standard that supports the provision of a safe working environment for our employees and others who may be affected by our work activities". Within the policy document Princes have a list of 11 commitments in which they will so far as is reasonably practicable abide by. Some of these include; a commitment to place the environment as a prime responsibility of line management, provide adequate resource and support to deliver any environmental performance objective set and using Best Available Techniques to carry out environmental improvement actions.

Organisational chart

The organisational chart was provided during the audit as part of the QSHM document. The chart illustrates that the onsite EHS Coordinator reports to the onsite EHS Manager who then reports to both the Group EHS

Manager and the Head of Operations for that particular site. The directors of the relevant operating companies, within Princes, are responsible for the standard of EHS within their area of responsibility and for the staff over whom they have direct control. Each operating company has a nominated person to ensure the implementation of measures and procedures needed to comply with applicable EHS regulations. The Group EHS Manager, in consultation with the nominated person, will ensure that the relevant measures and procedures are reviewed and revised as often as may be appropriate, and are in compliance with the Group EHS Policy. The Group EHS Manager and nominated person shall monitor the overall performance of EHS and report matters to the relevant Director which they feel require the attention of the relevant statutory directors.

The onsite Environment, Health and Safety Manager is responsible for:

- Submitting required reports to the regulator or other applicable legal bodies.
- Ensuring that operations are in compliance with applicable legal, certification, customer and company requirements.
- Delivering training to targeted employees and maintaining records of all H&S training
- Analysing, reporting & reviewing H&S performance data
- Liaising as required with outside agencies on all EH&S matters i.e. HSE, Police, Fire Brigade, insurance companies, auditors and customer.
- Understanding MCERTS & arranging the management system audit at the required frequency
- The EHS Manager maintains the appropriate records which demonstrate site compliance with the EHS system requirements

Within the Group EHS Management Framework document there are clear descriptions of the roles managers and employees have with regards to EHS policy. Managers are responsible for the management of the site EHS systems for their area of control and for the staff over whom they have responsibility. They are also responsible for ensuring such staff are advised of their own obligations in relation to EHS. They also ensure that their management team and employees are aware of their EHS responsibilities as detailed within the site EHS procedures through the provision of EHS training. They also set EHS objectives across their area of responsibility in line with Group EHS strategy, objectives and policy, where applicable, and review annually the standard of EHS performance and effectiveness of the Group EHS Policy and applicable procedures. In addition to this they also work towards continuous improvement in EHS performance, achieved through risk assessments, audits, inspections and reviews etc. where applicable. Employees are encouraged to cooperate with the company in the delivery of its EHS improvement plans and risk control measures and participate in the improvement of EHS standards as required.

Legal Requirements and Register

An organization should establish, implement and maintain a procedure for periodically evaluating its compliance with the legal requirements that are applicable to its environmental aspects, as part of its commitment to compliance. A register of legislative compliance should be reviewed as part of the EHS audit cycle and a register of EHS legislation maintained at the Group and site level by the relevant EHS Manager / Coordinator. Princes Cardiff maintains a detailed environmental legal register, which was last updated in March 2020. Management Procedure MP19 was provided as part of the audit procedure. This document describes the process for identification of relevant legislation and group policies to Princes Ltd Cardiff. The EHS Manager monitors relevant EHS legislation via professional membership, professional magazines, Barbour communications, HSE and EA website updates and EHS Group communications. The Group EHS Manager ensures that any changes to relevant legislation or codes of practice are communicated to the site EHS manager for update of F95 Register of Legislation and Compliance & Site Processes. The EHS Manager is responsible for ensuring relevant EHS legislation is identified and appropriate procedures and policies are

embedded into the QSHEM system to ensure compliance. F95 details the legislation identified as relevant to the organisation. F95 is broken into sections identifying relevant legislation within each section i.e. Health and Safety, Environment and Food Safety. F95 is updated as and when changes in legislation are identified and is also reviewed annually. Successful implementation of relevant requirements is monitored via MP14 Internal Audit. Any changes in practice required to comply with changes in legislation are agreed by the management team with relevant training and procedural documentation implemented where necessary.

Action1: Within page 1 of Princes' F95 Register of Legislation and Compliance it states "The purpose of this Regulation is to amend the Environmental Permitting Regulations 2016, to transpose EU Directive 2015/2193 regarding medium combustion plants over 20MW and 50MW" Please review this since the directive covers MCP's between 1MWth and 50MWth. **Due 20th December 2022.**

The register contains a summary of pertinent legislation with the legislation referenced alongside the relevant environmental aspect. NRW restricted its assessment to the procedures and maintenance around the register itself, but a brief review of the legislation therein confirms the identification of the latest version / amendment of the following key environmental legislation:

- EPR 2016 and 2018 2019
- F-GAS Regulations 20018
- REACH
- Hazardous Waste, List of Wastes and Controlled Waste
- Contaminated Land
- Environmental Damage
- TFS, Packaging and WEEE
- Water Resources
- Hazardous Substances consenting
- CLP
- Energy efficiency and climate change
- Well-Being of Future Generations (Wales) Act 2015

Environmental Aspects

The elements of an organization's activities, products and services that can interact with the environment are called environmental aspects. Changes to the environment, either adverse or beneficial, that result wholly or partially from environmental aspects are called environmental impacts. The relationship between environmental aspects and associated impacts is one of cause and effect. An organization should have an understanding of those aspects that have or can have significant impacts on the environment, i.e. significant environmental aspects. An organization should identify environmental aspects within the scope of its environmental management system that are associated with its past, ongoing and planned activities, products and services. In all cases, the organization should consider normal and abnormal operating conditions including start-up and shut-down maintenance and emergency situations and accidents. To facilitate planning, an organization should maintain appropriate information on the environmental aspects identified and those considered significant. The organization should use this information to understand the need for and to determine operational controls.

Princes' environmental aspects are identified for processing and packaging of fruit juice and juice drinks as well as indirect aspects such as delivery and packaging activities and products. This includes services that Princes can control and influence and their associated environmental impacts, including a consideration of life cycle perspective. MP17 has been documented to define how environmental aspects are identified and how these aspects are rated for significance and considered when setting environmental objectives. The

identification of environmental effects (aspects) is scheduled and planned by the technical manager considering site areas and activities. These findings are discussed between the General Manager, Engineering Manager, and other relevant departments. The identified aspects, including normal and abnormal situations, are determined for significance using a risk and likelihood scoring system as detailed in MP17. The findings of the scoring system provide the basis for continual site improvement. The results are recorded on a 'Determination of Significance Effects Check Sheet' and any score of 8 or above is considered as a significant environmental effect. The findings of the determination of significance effects provide an input into the site's objectives and targets, to ensure both legal compliance and provide a basis for continual improvement. Princes provided a copy of their register of Environmental Aspects and Impacts in excel sheet F068. The Identified significant effects are used as a basis for planning improvement actions and targets as detailed in the Management Procedure for setting site objectives and targets MP18.

F068 lists a significant number of Environmental aspects along with their associated impacts. Each of these aspects is also tied to a relevant piece of legislation. It's important that an organisation has a specific criterion for determining the aspects they consider the most significant. Princes have used a risk and likelihood scoring system as detailed in MP17. Evidence of this is seen in F068. The identification of significant environmental aspects is an ongoing process that enhances an organization's understanding of its relationship to the environment and contributes to continual improvement of its environmental performance through enhancement of its environmental management system. According to MP17 the technical manager shall ensure that the process for determining environmental aspects is followed, and the relevant records updated, whenever changes are made or identified e.g. through audit, complaint or change of factory process.

Action 2: Upon review of document F068, we are unclear of the qualification of the scoring matrix. Please can you explain what the scores 1-5 for likelihood and consequence mean? For example, does 5 for likelihood mean that it is constant/daily? Please can you explain the scoring system? **Due 20th December 2022.**

Action 3: MP17 states that "The findings of the scoring system provide the basis for continual site improvement. The results are recorded on a 'Determination of Significance Effects Check Sheet'". It also states that "Once the determination of significant effects has taken place the technical manager shall ensure that a summary of these is documented on the significant environmental effects register." I Have a copy of F068 Register of Environmental Aspects and Impacts is this the only document within the EMS that lists the Aspects and Impacts or are there other documents? If so please can you send them to NRW. **Due 20th December 2022.**

Action 4: Princes should include a final column on spreadsheet F068 detailing if a project, objective or improvement mentioned within the document has been completed. This would ideally show over time what's been considered, rejected, partially or fully implemented, carried over to another year. **Due 20th December 2022.**

Objectives and Targets

The process of setting and reviewing objectives and implementing programmes to achieve them provides a systematic basis for the organization to improve environmental performance in some areas whilst maintaining its level of environmental performance in others. Both management and operational performance can be addressed through the setting of objectives. This element of the EMS is closely tied to the establishment of significant environmental impacts as this is ideally (amongst other things) where the operator should aim to set targets for improved environmental performance. This is the case for Princes where the majority of significant environmental impacts stated within F068 'The environmental aspects register' are reproduced in the ISO14001 objectives and targets stated within the Management Review Minutes for 2022.

The Princes Group objectives and targets referred to as Key Performance Indicators (KPI's) are set on an annual basis. Each site will review these objectives and ensure where relevant they are included in their Tactical Improvement Plans (TIP's) and their overall objectives to achieve the relevant targets. Within the QSHEM (page 8 1.13) it states that "The Head of Operations ensures that clear objectives are defined to maintain and improve the site health and safety, environment controls, safety, legality and quality of products manufactured, in accordance with the QSHE policy and certification standards (MP18). These objectives are summarised in form reference F65 including targets / clear measures of success and incorporated into site TIPs (Tactical Implementation Plans) and the MWBP (Must Win Battle Plan). Objectives and targets are set at the beginning of each fiscal year and are based on company requirements with a view to continual improvement of site QSHEM performance. Plans are developed with the objectives and targets detailing the improvements needed to achieve the objectives and are incorporated into the factory plan as appropriate. Objectives are communicated to relevant staff during monthly meetings and appraisals. They are monitored and results reported at least quarterly through monthly meetings reviewing TIPs & MWBP."

MP18 provides an overview on how objectives and targets should be developed for the site. The EHS Manager shall ensure that a summary of significant environmental aspects and impact is compiled (FO68) as defined in the management procedure for determination of environmental effect (MP17). Using this information in addition to the numerous sources of information highlighted in MP18, the general Manager of the site is responsible for developing the sites environmental objectives and targets.

Princes Cardiff monitors performance and reviews this against objectives and targets as part of the daily, weekly & monthly meetings in addition to the Management Review, which enables prompt reaction to developing trends. Management review meetings (MP15) attended by the site's senior management are undertaken annually, to review the site performance against the standards and objectives set at the beginning of each fiscal year. The review process minutes format & agenda are located in form F294 and include the evaluation of previous management review action plans, time frames, targets and objectives achieved. NRW have a copy of the management review from 2019 to 2022. However, progress with these objectives and targets appears to be stagnant. The reporting over the past three years appears to be almost carbon copies if each other. The objectives for water reduction including the target, plans and progress are exactly the same for the past three years. The OOE has been 53.95% for the past three years against a target of 70%. These objectives and Targets should be dynamic. When changes in processes, activities, services and products within the scope of the environmental management system occur, the objectives and targets and associated programmes should be revised as necessary. The setting of environmental objectives is the main way in which a company's environmental performance can be improved. The objectives set do not need to be quantifiable, but they do need to be realistic and achievable.

Action 5: Why do the annual improvement targets appear to be cut and paste jobs of previous years? Have any discussions been made to try and develop and improve them further? **Due 20th December 2022.**

Future work following this audit will involve working through the aspects and impacts, understanding the scoring and assessing the scoring, then looking at corresponding targets and objectives and associated projects.

Environmental Review and Internal Audits

Figure 3 on page 13 of the QSHEM details the key responsibilities for employees which included areas such as annual management reviews. Some of the more pertinent responsibilities are listed below. For each of the criteria listed below the head of operations is accountable and the EHS manager is either responsible or consulted on for completion.

- Annual Management Reviews
- Completion of corrective actions from External Audits
- Completion of corrective actions from Internal Audits
- Change Control Management System
- Definition of QSHEM Policy
- EHS Management representative
- Ensure adequate internal audit resource
- Establishing objectives & targets
- Identification of significant environmental effects
- Internal audit schedule maintained
- Legal compliance
- MCERTs management system
- Relevant HS&E legislation is known & register in place

The management review procedure is designed to keep the site EMS implemented and running in accordance with the requirements of the ISO 14001 standard. The responsibility for delivery of the environmental review is with the head of operations, with support from the EHS Manager and Technical Manager. The review is annual and is summarised in document F294. The standing agenda contains some key items which include:

- External and internal issues that are relevant to the environmental management system
- Risks and opportunities including considerations for environmental aspects
- Environmental Objectives - updates
- The organisations environmental performance inc. changes to the legal register
- Adequacy of resources
- Relevant communications from interested parties (inc. complaints)
- Opportunities for continual improvements – EMS reviewed in April 21

The regulator stresses that the management review should be wide enough in scope to ensure items raised in previous reviews and actions from internal audits are also measured and reported. The site programme of internal audits is documented for the current year on F209. The scope of the audit schedule is detailed in MP14 and covers as a minimum EHS compliance, HACCP, prerequisites, food defence & food fraud prevention plans and management procedures. F209 includes the audit description / scope, the risk assessment and the determined frequency of the audits (minimum of annually). The internal audit programme is fully implemented. Internal audit reports identify conformity as well as non-conformity and the results are reported to the personnel responsible for the activity audited through the audit report, corrective action request sheet F22 and summarised in corrective actions F46 Work list. Corrective actions and timescales for their implementation are agreed between the auditee and auditor and completion of the actions verified by the Technical Manager or EHS Manager.

Princes new EHS Management System, SHE Assured, is where Princes capture and action anything to do with EHS compliance, including audits incidents. An example of a hazard reporting report using the SHE Assured system was provided as part of this audit. In this example Chemicals were identified as not being stored correctly. Consequently, a report with actions and close out dates was developed using SHE Assured.

Princes Cardiff are certified to ISO14001 and as a result undergo periodic audits by an accredited auditing company (BSI). The principal purpose of these aspects and clauses in ISO 14001 is to ensure the operator reviews the system, plans internal audits, carries out internal audits, leading ultimately to retaining registration to the standard and safeguarding the environment. Princes provided a copy of their ISO 14001 assessment 26/02/2020. They also provided a copy of the last 14001 audit results which were taken from the groups 45001 audit. On both audit reports there appears to be a similarity with failing to complete

management reviews and audits on time. On all occasions these non-conformances have been closed out and Princes are currently certified to 14001. A similar trend is also evident with compliance of their environmental permit. Almost all reports required under the permit have been submitted late and usually upon request of the regulator. The most recent management review was provided to NRW in September 2022 against a permit requirement of January 31st.

Action 6: NRW recommend that Princes improve their management system so that pertinent reviews, audits and submissions dates are stored within the EMS and that a system is established where actions/notifications are generated to comply with such dates. **Due 20th December 2022.**

Change Management

Finally, NRW requested to see the design and operational effectiveness of the change management controls within the EMS and how they are used to maintain environmental compliance. Consequently, Princes were asked how they approached management of change at the Cardiff site. Princes provided document MAN12 Change Control and GMP-305 Management Of Change For Project Concrete as an example. The purpose of the MAN12 Change Control document is to highlight the procedure to follow to ensure that during the design and development of new major capital projects, side development or demolition, processing parameter changes, facility changes or supply changes any hazards whether to quality, personnel, plant, equipment, chemicals, services (water, steam, air etc) environment or building are identified and the risks eliminated or reduced to an acceptable level.

The relevant departmental manager is responsible for starting the modification assessment form and ensuring that it is reviewed by the Technical Manager and SHE Manager to identify any required actions. The departmental manager responsible for the minor project / change must start the modification assessment F12 and must ensure that input is obtained from all departments Engineering, Operations, Technical, Safety, Health and Environment. If the project is a major site transformational project involving Group Engineering, then the change must be reviewed using the Group form MP3.05 which on site will be referenced as G-MP3.05. G-MP3.05 must be reviewed and agreed by the Project Manager, site senior management team and Site General Manager before commencement of the project. All actions identified must be logged on the Action Log F46 with responsibilities and timeframes recorded. Changes resulting from projects, internal audit, external audit or improvement ideas must have a simple risk assessment carried out to determine if a HACCP review F191 and / or document control change F01 is required. This assessment is incorporated into the F46.

Upon reviewing the GMP-305 Management of change for project Concrete it appears that changes to the significant aspects are included. However, in this form it stated under section 1.11.3 "Will any of the Operating Permits i.e. (EA, EHO, and HSE) be effected" the answer was No. However, this was not the case. This form has a sign off section for the following employees: Project Manager, Engineering Manager Production Manager, Technical Manager, EHS Manager p.p. Factory Manager and General Manager. It's important for Princes to be aware that as the permit holder they are responsible for compliance with their environmental permit. If operational responsibilities are delegated to third party companies, it is still the responsibility of Princes to maintain compliance with the permit.

Action 7: Please provide details on how management of change is undertaken when key members of staff leave the business. i.e how will Princes ensure continued compliance with their permit during any transitional period? **Due 20th December 2022.**

Conclusion

The purpose of this audit was to establish the existence of an environmental management system and to understand how it functions within Princes' operating systems. Upon review, Princes' have a well-established EMS that appears to encompass all the pertinent areas one would expect to see in an EMS. It is evident that a lot of time and effort has been put into developing the EMS which makes it more disappointing that over the past few years all of the submission deadlines for their environmental permit have not been met. During this audit Princes received a newly varied permit in August, as a result of onsite changes, please ensure the permit is reviewed and understood so that the permit requirements are reflected within the EMS. Following this audit, I would like to test the depth and effectiveness of the implementation by looking at specific topics more deeply. This will most likely involve working through the aspects and impacts, understanding the scoring and assessing the scoring, then looking at corresponding targets and objectives and associated projects. This new phase of work will most likely commence early to mid-2023.

End.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.