

Compliance Assessment Report CAR_NRW0040686

Permit being assessed: AB3697CN.

For: Radnor Hills, held by Radnor Hills Mineral Water Company Ltd

At: Radnor Hills Water, Heartsease Farm, Knighton, Powys, LD7 1LU.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 24/11/2022 between 10:30 and 16:10.

Parts of permit assessed: SEE NOTES (Section 4)

NRW Lead Officer: Victoria Griffin, accompanied by Julia Frost.

Report sent to: Ben Price, Environmental Co-ordinator on 02/12/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
E2 - Emissions - Land and groundwater	Assessed (A)	
E3 - Emissions - Surface water	Assessed (A)	
E5 - Emissions - Waste	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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
A1	Improvement Conditions (IC1, IC2, IC5 & IC7) to be addressed	31/01/2023
G4	Monitoring returns to be provided on NRW report template	31/01/2023

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

This was a prearranged familiarisation visit of the Facility by the Natural Resources Wales (NRW) regulating Officers.

A short introductory meeting was held with Ben Price, Rob Isaac and William Watkins before NRW Officers were provided with a high-level tour. The following locations were covered during the tour:

- The process wastewater storage and foul water treatment facilities
- The Swale and discharge point to the River Teme
- The Effluent Treatment Plant (ETP)
- PET and Tetrapak Production Lines

Whilst a detailed inspection was not undertaken, the high-level observations did not identify any apparent permit breaches.

The SCADA system on the ETP was explained and it was noted that the outlet pipe and associated pipework from the ETP which discharged to the aquifer via a lagoon is still in-situ and potentially operational. Officers discussed with the Operator the implications of unintentional releases via this means (See Actions /Recommendations).

Algal growth was observed at the inlet to the swale and further downstream within the swale. The Operator confirmed that the planting in the swale is well established and has been cut back in the past, but they require advice and guidance on whether or not to manage the growth (See Actions /Recommendations).

Following the tour of the Facility, further discussion was undertaken, and the salient points are as follows:

Water point sources sampling must be from point source W1 - Effluent Treatment Plant, and analysis be undertaken by an MCERTS accredited organisation or MCERTS certified equipment as identified in the permit. Temperature recording and reporting at swale inlet, is acceptable in addition to that specified by the permit.

Improvement Conditions

The permit Improvement Conditions were discussed and are summarised as follows:

- **IC1 & IC2** - Monthly monitoring was required for a 12month period following commencement of the discharge to the River Teme. Monitoring commenced in December 2021 to correspond with the start of discharge to the watercourse (See Actions).
- **IC3** - completed
- **IC4** - completed

- **IC5** - An EMS and Containment Audit, was undertaken by NRW Officers on the 3 March 2019, it identified further work /information required to discharge IC5 (See Actions)
- **IC6** - completed
- **IC7(a), (b) & (c)** - The maximum capacity of the installation was discussed, and it was agreed that it is likely to have increased since the original application. The current maximum capacity of the installation is to be calculated and the risk assessment reviewed and updated as appropriate (See Actions).
- **IC8** - to be completed and submitted to NRW by **4 June 2023**, as outlined in the permit.

Medium Combustion Plant (MCP)

There are currently 4No natural gas boilers and 1No oil fired heating system included on the permit. It is understood that an additional boiler has been installed but is not yet operational. The Operator has stated that the new boiler will replace all existing boilers, except for that which supplies line 8. There are no plans in place to decommission the existing boilers as they are to be used as a back-up when required. (See Action /Recommendations).

Actions/Recommendations

1. Remove the valve handle from the lagoon pipework.
2. NRW recommend that the Operator continue to monitor the algal growth at the swale and seek advice and guidance from the Swale designer regarding the swales ongoing management for both planting and algal blooms. NRW Officers will also discuss internally with our colleagues.
3. Action - Water monitoring returns to be provided on NRW template W1 from **Q1 2023** onwards.
4. Action - Now that the 12month monitoring period has ended, a report must be submitted with the conclusions and timescales for any further work if appropriate to discharge IC1 and IC2. Report to be submitted to NRW by **31 January 2023**.
5. Action - Operator to provide confirmation that all actions required to discharge IC5 as identified in the Audit Report (dated 3 April 2019) have been implemented by **31 January 2023**.
6. Action - Calculate the current capacity of the installation and submit along with an updated risk assessment to NRW for approval by the **31 January 2023**.
7. Confirm to NRW the thermal input of all combustion plant and their locations on a plan and submit to NRW. Please note that subject to the thermal input of the replacement boiler being greater than 1MWth, the MCP Regulations may apply. Where the new boiler meets the Standard Rules Permit requirements, a new standalone permit must be applied for. Where the Standard Rules Permit requirements cannot be met, a permit variation application must be applied for. Please note that until a permit has been issued you will not be able to operate the new boiler. The following link provides guidance [Medium combustion plant and specified generators: environmental permits - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/medium-combustion-plant-and-specified-generators-environmental-permits)

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.