

Compliance Assessment Report CAR_NRW0041865

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: Site Inspection, Reason: Routine.

On 17/05/2023 between 10:00 and 12:30.

Parts of permit assessed: Management system and reporting

NRW Lead Officer: Geraint Harris.

Report sent to: John O'Malley, Health, Safety and Environment Manager on 22/05/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	Permit Condition 4.5
H2 - Resource Efficiency - Energy efficiency	Assessed (A)	
H1 - Resource Efficiency - Efficient use of raw materials	Assessed (A)	
E4 - Emissions - Sewer	Action only (X)	
E4 - Emissions - Sewer	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
1	0.1

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
G4	Submit a report satisfying permit condition 4.2.2(a) by the 30th June 2023.	30/06/2023
E4	Action2: Has an accurate baseline been established? If so, please can you provide NRW with the supporting information and any justifications relating to this information? Due 1st of July 2023.	30/06/2023
E4	Action3: If Princes are no longer planning on installing an isolation system for the main trade effluent outflow from the Installation at S1. Please explain how Princes intend to contain a major spill on their site? Due 1st of July 2023.	30/06/2023

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Princes Ltd

EPR-BX8289IW

17th of May 2023 Site Visit

On the 17th of May I undertook a site visit to Princes' Cardiff. The purpose of the visit was to discuss the following points:

1. Discussion on permit condition 4.1.5 management system review since this is overdue.
2. Management of change and onsite procedures related to permit compliance.
3. Permit compliance and implementation within the sites EMS.
4. Discussion on the outstanding actions from CAR Forms: CAR_NRW0040459 and CAR_NRW0041224.
5. Energy efficiency discussion on how energy is recorded and how improvements are planned, monitored, and recorded.
6. Discussion on how effluent is monitored, actions taken when testing shows it is out of compliance with the trade effluent consent.

Reporting:

NRW have received the following reports:

2022, Q3 sewer1 report for August and September

2022, Q4 sewer1 (OCT – DEC) and annual reporting forms

2023, Q1 Sewer1 report for January to March

2023 R1 - Reporting of Waste Disposal and Recovery for the year 2022

Upon reviewing the annual returns for 2022 there has been an increase in energy usage, water usage and waste production. Over the past few years Princes have expanded their operations to include an additional boiler and production lines. In 2022, line 6 was put into operation which resulted in an increase in the above parameters. However, when compared with fruit juice production there has been a marked increase in efficiency for all their parameters.

With regards to medium combustion plant emissions monitoring, Prince's permit stipulates that the first monitoring measurements will be carried out within four months of the issue date of the permit variation or the date when the MCP is first put into operation whichever is later. In response Princes provided the monitoring results from 15/07/21. This date precedes this reporting requirement, however, since the emissions are below the emission limit value and due to their minor environmental impact, it has been agreed to accept the monitoring results. Princes' permit requires MCP boiler number 2 to be monitored every 3 years, Princes need to be aware that by accepting the monitoring results from the 15/07/21 the next **set of monitoring returns will need to be completed by the 15/7/24.**

NRW have yet to receive a response to permit condition 4.2.2.(a) which was due by the 31st of January. During a site visit on the 17th of May this requirement was discussed with the operator to ascertain why it had not been submitted. Princes explained that this data is based on the financial year rather than a calendar year. Consequently, Dow have their management reviews in April time. Therefore, it has now been agreed, going forward, that this submission date can be moved from January 31st to April 30th each year. Any exceedances of this new date will be considered a noncompliance and penalised accordingly. As it stands the report for 2022 is overdue, due some internal company issues Princes have said it is likely that NRW will receive this report in June. Consequently, a

minor **category 4 noncompliance** is being issued for failure to comply with permit condition 4.2.2 (a).

Action 1: please submit a report satisfying permit condition 4.2.2(a) by the **30th June 2023**.

Upon discussion with the operator, it was evident that the root cause for the failed submissions mentioned above and in previous CAR reports was a lack of management of change procedures. An operator’s EMS should contain procedures or work instructions that ensure compliance with the permit is maintained even during periods of operational upset. In this instance, after the loss of key personnel, Princes had difficulty locating and understanding what was required to satisfy their permit conditions. Had there been procedures or work instructions in place detailing how to comply with their permit the previous non compliances could have been avoided. As it stands no new noncompliance is being issued against the management system since the previous noncompliance scores are deemed proportionate. During the onsite discussions with the operator, I was made aware that Princes are in the process of generating work instructions for all the reports required in the latest iteration of their permit. NRW welcomes this progress and hopes that late or substandard reports will be a thing of the past. Now that Princes are clear on what information they need to submit to NRW and when they need to submit it, NRW will not accept any future missed deadlines and Princes will incur additional noncompliance scores.

Outstanding Actions:

The actions within CAR_NRW0040459 were discussed in turn during an onsite meeting on the 17th May 2023.

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.*

Princes made note of this and created an action to change the text. Action complete.

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.*

Princes talked about the scoring system and were able to demonstrate what each of the scores of 1-5 for consequence represented. We discussed the scoring for likelihood and the operators were unsure if each of the numbers 1 to 5 signified a timeframe or probability such as 1/100 years etc. It is recommended that Prince’s look into this and try to quantify the likelihood scoring, please see example below:

Likelihood of Occurrence	Severity of Consequences				
	1. Minor Injuries (No lost time)	2. Significant Injury (up to 7 Days)	3. Serious Injury (7 Day Injury)	4. Major Injury	5. Fatality
1. Very unlikely [hasn't occurred before]	1	2	3	4	5
2 - Slight [rarely occurs]	2	4	6	8	10
3 - Feasible [possible, but not common]	3	6	9	12	15
4 - Likely [has before, will again]	4	8	12	16	20
5 - Very Likely [occurs frequently]	5	10	15	20	25
Risk Rating: Likelihood * Severity	Minimal 1-2	Low 3-9	Medium 10-15	High 16-20	Extreme 25

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.*

After discussion on the impacts and aspects register, F068 appears to be the only document detailing Environmental Aspects and Impacts. This document does contain a detailed list of the Environmental Aspects and Impacts affecting the site.

Recommendation: It was clear during discussions that Princes recent site expansion and improvements will have changed the scoring of a number of aspects listed in F068. It is recommended that Princes set up an annual review of this register so to capture changes

and use it to identify opportunities to make further improvements.

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.

Recommendation: NRW recommend that a column is added to F068 or another means of capturing progress is undertaken to help drive further improvements and ensure that any actions are completed.

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.

Please see later section on energy and waste efficiency

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.

Response combined with action 7.

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.

As discussed above, Princes are in the process of generating work instructions for all the reports required in the latest iteration of their permit. A demonstration of Princes she-assure program was undertaken which allows the operator to input actions and deadlines. The relevant operators also have permit compliance within their PDP'S. Since it was demonstrated that Princes are aware of what is expected of them and that they have all the tools available to ensure compliance with the permit there should be no excuse for meeting the deadlines within the permit going forward. As stated above Princes are in the process of generating work instructions for all the reports required in the latest iteration of their permit. This should improve Princes' management of change with regards to permit compliance going forward. Actions 6 and 7 are complete.

Energy efficiency discussion on how energy is recorded and how improvements are planned, monitored, and recorded.

During our discussions we talked about Princes Green Goals initiative. This initiative has been designed to be implemented over the next 10 years, with a focus on reducing carbon emissions and internal energy generation, in addition to reductions in food, water, and general waste. Princes' 2030 Green Goals will be achieved by meeting the following targets:

- Carbon neutral across all operations: reviewing all equipment and infrastructure, and investing in carbon-neutral solutions at manufacturing sites;
- Up to 50% internal energy generation: driving towards self-generation and renewable energy, such as biogas from waste at manufacturing sites;
- 25% less water wastage: minimising all leakage and waste, and increasing water reuse;
- 30% less general waste: reducing and reusing materials, as well as maintaining zero to landfill waste across UK operations and accelerating internationally;
- 50% less food waste through prevention and positive use: accelerating progress to tackle global food waste through a commitment to the Champions 12.3 coalition, 50% less food waste within its operations and engaging suppliers and consumers to tackle food waste.

Princes' Continuous Improvement Manager was present at the meeting on the 17th May and was able to discuss how Princes are driving improvements in several areas. Princes are required to take appropriate measures to ensure that raw materials and water are used efficiently in their activities and to review opportunities to improve the efficiency of raw material and water use periodically. Princes are currently using a system named lighthouse academy to drive improvements across the site. The Continuous Improvement Manager demonstrated this by discussing and presenting information on the tracking of material usage variance for the operations undertaken at the site. During this discussion Princes were able to demonstrate and discuss how they have gone about improving their material usage variance figures for waste over the past year and detailed their targets for the next year.

We then went on to talk energy efficiency, Princes are in the process of identifying areas to improve energy efficiency, these include the use of solenoid valves for the onsite compressors. They also talked about a project looking into the MCP operations since a lot of energy is used keeping one of the two boilers idle while the other is operational. Princes also went on to describe how they have a 3,2,1 level system which requires input from factory operatives up to senior managers. This system requires 4 hourly and daily reviews of the sites production processes and operates a traffic light system to identify process upsets. Consequently, Princes are able to

identify process upsets quickly and potentially avoid generating excessive volumes of wasted materials. During the meeting Princes were unable to provide a document listing their objectives and targets for energy, raw materials and waste. However, it was quite clear that princes dedicate a considerable resource in improving both the efficiency of their operations and reduction waste. NRW are satisfied that Princes are meeting permit conditions 1.2, 1.3 and 1.4.

Effluent

The purpose of this discussion was to ascertain how Princes monitor their effluent and what actions are taken when testing shows it is out of compliance with the trade effluent consent. Effluent is monitored both internally and externally. Princes have a composite sampler and MCERTS certified flow monitored attached to their final effluent discharge point. Princes are required to monitor a series of parameters on a monthly basis to ensure compliance with their permit. As it stands DCWW take a monthly composite sample and a spot sample from this location. Princes also take a sample at the same time and undertake their own analysis. Princes' permit requires them to undertake monitoring but doesn't prescribe any emissions limits. Instead, the limits are stipulated in a Welsh Water trade effluent consent. Upon discussion about out of specification effluent, more specifically low pH, Princes explained that lower pH values are as a result of increased loss of acidic based fruit juice and so for financial reasons action is taken to quickly resolve this. They also state that any out of spec effluent also results in financial penalties from the sewage provider (DCWW).

Within Princes most recent permit variation application under the heading Point Source Emissions to Sewer – Proposed Arrangements it states the following:

“Once these improvements have been made, an accurate baseline will be established and if deemed necessary following systematic sampling and pH testing, Princes will design an effluent neutralisation system, including an appropriate buffer storage capacity for wastewater to adjust the pH of the effluent prior to discharge to foul sewer. Princes also propose to install an appropriate isolation system for the main trade effluent outflow from the Installation at S1 to ensure that in the unlikely event of a major spill on site, the spill will be contained within the site's Environmental Permit boundary and will not be discharged to foul sewer”.

Action2: Has an accurate baseline been established? If so, please can you provide NRW with the supporting information and any justifications relating to this information? Due 30th of June 2023.

Action3: If Princes are no longer planning on installing an isolation system for the main trade effluent outflow from the Installation at S1. Please explain how Princes intend to contain a major spill on their site? Due 30th of June 2023.

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.