

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0034527**

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

Site	Radnor Hills	Permit Ref	AB3697CN		
Operator/Permit holder	Radnor Hills Mineral Water Company Ltd				
Regime	Installations				
Date of assessment	25/03/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Monitoring Returns				
Lead officer's name	Frost, Julia				
Accompanied by					
Recipient's name/position	Rob Isaac/ Technical and Quality Manager	Date issued	27/03/2019		

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
C2 - General Management - Management system and operating procedures	C3	1.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.3.2, 4.3.3
	C4	2.4.2

**KEY:** See Section 5 for breach categories, suspended scores will be indicated as such.

**A** = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

**O** = Ongoing non-compliance, not scored.

<b>Number of breaches recorded</b>	<b>3</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	<b>4.2</b>
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**If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response**

## Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This CAR form covers the submissions made to NRW for calendar year 2018.

### Emissions to Water

Permit condition 4.2.3 requires this information to be submitted on a monthly basis, within 28 days of the end of the reporting period.

The reports required for the emissions to water have been submitted in line with the permit requirements (since the issues raised in CAR form 33021). The submissions indicate that in general the results are significantly below the emission limit values for a number of determinands. The only exceedances recorded are in relation to high temperatures on occasions between May and August. These were discussed at the time with the Operator and are linked to the long hot summer we had in 2018.

### Emissions to Air

Permit condition 4.2.3 requires this information to be submitted annually, within 28 days of the end of the reporting period.

The results of the emissions to air monitoring were not submitted to NRW within the timescales specified in the permit, **category 4 breach 4.2.3**.

During the permit determination the emissions to air were assessed as not being significant and that whilst they are listed as authorised release points, and annual sampling is required this could be taken during the annual boiler services. The MCerts requirements specified in permit condition 3.5.3 are not relevant to the air emissions monitoring. Form Air1 will be amended to reflect this.

### Performance Reports and Annual Production Data

Permit condition 4.2.2 requires this information to be submitted to NRW by 31 January each year.

The relevant information was not provided to NRW within the timescales specified in the permit, **category 4 breach 4.2.2 (consolidated with the 4.2.3 breach above)**.

This is the first year the Operator has been required to submit this information so it is not possible to comment on any trends in this data.

### Improvement Condition Responses

Permit condition 2.4.1, states that the improvement conditions should be completed within the timescales specified in schedule 1 table S1.3. Permit condition 2.4.2 requires that for improvement conditions requiring a submission to NRW, this should be made within 14 days of its completion.

**IC1 and IC2** - require monthly monitoring to be carried out for the first 12 months following permit issue. As per CAR form 33021, these two conditions should read "12 months following commencement of the discharge to the river Teme".

**IC3** - the site now has full ISO 14001 accreditation so this condition can be considered to be complete.

**IC4** - required you to "carry out monthly monitoring of the effluent to see whether there is any nonylphenol present in the effluent above the EQS. Results of the monitoring will be submitted to NRW for assessment within 6 months of permit issue"

The response was submitted outside of the timescales specified in the permit and initially did not include any assessment against the EQS as required by the improvement condition, **category 4 breach 2.4.2**.

This improvement condition was included as a result of nonylphenol being detected in historic analysis of the effluent from the site

(prior to the installation of the MBR on site). The results are all well below the spot sample EQS value for nonylphenol and the annual average is also not exceeded. Half of the results are reported as below reporting threshold.

Based on this information, NRW are satisfied that no further action is required in relation to this and this improvement condition can be considered to be complete.

**IC5** - required you to carry out an assessment of the adequacy and condition of the current bund arrangement on-site by 31 May 2018. A response was received by NRW on this improvement condition on 21 February 2018, which highlighted a number of improvements that would be carried out within 12 months. NRW have responded to this improvement condition response in more detail in the CAR form covering our site visit on 5 March 2019.

**IC6** - This requires the Operator to submit details of the final design of the swale to NRW for approval. This is linked to the current discussions with EA and should be submitted to NRW for approval once finalised.

#### EMS

The Operator shall review the EMS to ensure that there are adequate procedures in place to secure compliance with all of the reporting requirements of the permit, **category 3 breach 1.1.1**.

## EPR Compliance Assessment Report

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Operator/Permit holder	Radnor Hills Mineral Water Company Ltd	Date	25/03/2019

### 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			
C2	C3	See CAR form text	30/04/2019
G4	C4	See CAR form text	30/04/2019
G4	C4	See CAR form text	30/04/2019

## Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

**See our Enforcement and Civil Sanctions guidance for further information**

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

### Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

**Operational Risk Appraisal (Opra)** - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

## Section 6 – General information

### Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

### Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

### Customer charter

#### What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to [enquiries@naturalresourceswales.gov.uk](mailto: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.