

Compliance Assessment Report

Report ID:
CAR_NRW0035424

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	28/06/2019	Time in	10:00	Out	12:00
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Annual returns				
Lead officer's name	Willey, David				
Accompanied by					
Recipient's name/position	David Wilson/ EHS	Date issued	15/07/2019		

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	2.3.1
E2 - Emissions - Land and groundwater	C3	2.2.5.1
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4	4.1.5 and 2.7.2

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.

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	8.1
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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

CAR Form following site visit on 28th June 2019

The following actions have been carried over:

ACTION: Site to inform NRW of the techniques to prevent the contents from reaching surface water drains if there is high rainfall at the time of the incident. High rainfall would dilute the viscous contents and may lead to contamination of the surface water drains.

Due to the ongoing work at the site the containment and emergency procedures should be maintained and updated accordingly.

ACTION: Site to look at the response to a large spill on site. There could be a period until the tanker arrives at site to pump off the spilled liquid. Operator to check the containment capacity of the spillage in the interim period?

The drainage system around the tanker off load area drains to the effluent system. The current project will be taking bunding into account.

ACTION: Site to provide details of the updated maintenance checks as well as ensuring the accident management plan, planned preventative maintenance, fugitive emissions plan and the EMS are updated. The requirements of the Regulation (EU) No.517/2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 should be taken into consideration, specifically Chapter II Containment.

ACTION: Princes to inform NRW of the destination of the tetra waste following processing at the Hull site.

ACTION: Operator to ensure the storage of barrels is stored within the bunded area to ensure that any spillages can be contained and avoid discharge to the surface water drains.

Concentrated juice drums are stored within the metal bunded area, this control has been improved but due to the changes on site it is essential adequate containment is in place.

ACTION: Operator to investigate the use of the interceptor located to the south west of the site as a measure to prevent further pollution in case of an incident in the yard.

The interceptor use will be investigated as part of the major project development of the south yard area.

ACTION: Please confirm the maximum capacity per line under the current operation and what would be the maximum capacity following the changes made at the site. The capacity is based upon a finished

product production capacity excluding packaging.

Annual returns

The following returns have been received:

M1 for releases to sewer, monitored levels were within the permitted limits.

R1 for waste disposal and recovery. All waste generated is recycled – both hazardous and non-hazardous.

WU1 for water usage showing a reduction in use at the site per tonne production.

E1 for energy usage where a reduction of CO2 produced has been reported for both electricity and natural gas.

PI1 has shown a reduction in performance indicators for specific water usage, waste production and energy use.

S1 for emissions to sewer with no breaches.

Fugitive emissions plan as required through condition 4.1.4 of the permit.

NRW have not received the sites updated EMS for 2018 or an update of the energy management system as required by permit condition 2.7.2. NRW have requested this from Princes but are yet to receive the EMS for 2018. **Considered a category 4 breach of permit condition 4.1.5 for the EMS and 2.7.2 for energy efficiency.**

ACTION: Princes Ltd. to submit the 2018 EMS and energy efficiency plan for review.

ACTION: Princes Ltd to ensure all returns are submitted to Liz Parr using the following e-mail address: Elizabeth.Parr@cyfoethnaturiolcymru.gov.uk

Site inspection

The site contact has now left Princes Ltd and has been replaced by David Wilson as the Environment Health and Safety officer. At the time of the visit the EHS has been in place for 7 weeks and is relatively new to the site. The site is undergoing considerable change at present with the site required to focus more effort on environmental compliance as well as their health and safety responsibilities.

The EHS confirmed that there are only 2 lines running and this is likely to remain the same during the building works and re-configuration of the process lines. Based on this there has been no urgency to submit their permit variation to NRW. The pre-application guidance previously provided by NRW is still valid and should be considered by Princes Ltd and their consultants.

Completion of the work is estimated as being in 2020 with no definite date confirmed.

A site walkover was undertaken around the perimeter of the site. Due to the construction works an inspection within the process buildings was not undertaken.

During the inspection evidence of an ongoing leak from the sites waste area was noted. The spill appeared to be from the cardboard crushing containers where any remaining juice within the packaging would be squeezed out, left to pool and eventually disperse to ground. Previous inspections of the waste area noted good containment in place. Due to the works on site it appears that this has been neglected resulting in an unauthorised release to ground with the potential to reach surface water. **Considered a category three breach of permit condition 2.2.5.1 where there has been minimal contamination of land.** In addition

IBCs stored within the vicinity did not have associated containment or bunding in place

There was evidence of some very temporary bunding put in place that was inadequate and did not demonstrate an adequate response to dealing with minor spills. **Considered to be a category 3 breach of permit condition 2.3.1 for management at the site.** Staff should be fully aware of the implications of a breach of their permit with any incidents receiving prompt remedial action, investigating and reporting.

ACTION: Princes Ltd to investigate the source of release and ensure there is sufficient bunding in place to prevent any potential spills from site.

ACTION: Princes Ltd to ensure that the procedures in place for reporting incidents through to associated response and remediation are up to date and followed by all staff.

Photos below show the extent of the pollution to land and inadequate bunding.







END

EPR Compliance Assessment Report

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Operator/Permit holder	Princes Ltd	Date	28/06/2019

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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	Princes Ltd to ensure that the procedures in place for reporting incidents through to associated response and remediation are up to date and followed by all staff.	30/08/2019
E2	C3	Princes Ltd to investigate the source of release and ensure there is sufficient bunding in place to prevent any potential spills from site.	30/08/2019
G1	C4	Princes Ltd. to submit the 2018 EMS and energy efficiency plan for review.	31/07/2019

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. 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.