

Compliance Assessment Report

Report ID:
CAR_NRW0033021

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	21/02/2018	Time in	10:40	Out	15:30
Assessment type	Audit				
Parts of the permit assessed	Site Familiarisation				
Lead officer's name	Frost, Julia				
Accompanied by	McGregor-Andrew, Sian,Rees, Aled E.				
Recipient's name/position	Rob Isaac/ QA Manager	Date issued	19/03/2018		

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
E2 - Emissions - Land and groundwater	C3	3.1.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.3.1

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	2	Total compliance score (see section 5 for scoring scheme)	4.1
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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

This was the first inspection to site since the permit was issued in December 2017. The main purposes of the visit were to go through the permit conditions with the Operator and for a site familiarisation visit.

Immediate notifications to NRW should be made to our Incident Communications Centre on 03000 65 3000 or to myself in hours.

Written submissions to NRW should be made to north.wales.ppc@cyfoethnaturilcymru.gov.uk copying in myself.

The permit conditions were run through and particular attention drawn to the following sections:

- notifications
- reporting
- improvement conditions
- monitoring and MCERTS requirements

The site is in the process of completing their EMS and are working towards accreditation, with the first audit planned in for May. NRW will carry out an audit of the EMS once it has been implemented and staff fully trained. As discussed, NRW are happy to review any key procedures (ie those linked to the sections above and management of change) before staff training to assess the suitability to secure permit compliance.

As the permit was only issued in late December 2017, the requirement to start reporting information to NRW commenced on 1 January 2018.

It should be noted that the deadlines associated with Improvement Conditions 1 and 2 should read "within 12 months of the commencement of the discharge to the River Teme".

The response to Improvement Condition 5 was received during the visit. This will be reviewed by NRW and feedback on separately.

NRW will review the content of table S3.2 in relation to monitoring frequencies and will feedback separately.

The permit currently restricts the discharge rate to the River Teme to 194.4 cubic metres a day. The Operator has indicated that a permit variation application will be submitted to apply for a varied seasonal discharge rate to the River Teme. A report entitled "Basis for River Flow Varying Discharge Rate" was received by NRW during the visit (an electronic version has also been provided). This will be reviewed and feedback to separately

ETP Sludge

The sludge from the MBR is currently being disposed of off site at a site in Bristol. The Operator is looking into the possibility of landspreading this waste to land (under a standard rules permit / deployment). These would be applied for by the farm next door who would carry out the landspreading on behalf of the Operator. The Operator was reminded of his responsibilities as a waste producer in relation to duty of care / waste carriers.

During the visit you asked for some advice on the most appropriate EWC code for the sludge from your effluent

treatment plant. As the producer of the waste it is your responsibility to correctly identify the most appropriate code as you are in possession of all the relevant information. However, I have reviewed the list and would suggest that 02 04 "sludges from on site effluent treatment" would appear appropriate.

Discharge

The permit allows the discharge of treated effluent to the River Teme. Emission limit values are set for this discharge. Whilst the EPR permit has now been issued the Operator are still waiting for the Environment Agency to determine the application for the discharge structure into the Teme.

NRW will contact EA to discuss progress with this application and likely timescales for the completion of their determination.

Until this authorisation has been issued by EA the Operator is unable to commence the installation of the swale and the outfall.

In our letter of 12 October 2017 NRW confirmed that whilst the permit was being determined and the associated pipework / swale are installed the discharge of treated effluent to ground may continue, without prejudice to any enforcement action in relation to the historic discharge.

Natural Resources Wales reserves the right to use its powers to require this unpermitted discharge to cease, should further information come to light regarding its environmental impact.

Discharge Quality

In reviewing the results to date it became evident that some of the emission limit values for ammonia and soluble reactive phosphorus had been exceeded. You advised that you were currently having issues with dosing for this contaminants and improvements were planned to be made to the system over the coming weeks. You noted that the issues appeared to arise in the colder weather. The improvements identified included the ability to dose the effluent separately for ammonia and soluble reactive phosphorus and the installation of a second larger capacity holding tank.

Until the discharge to the River Teme commences, and whilst NRW letter of 2 October 2017, is still in place, the current emission limit values in the permit shall be taken to apply to the discharge to ground.

Therefore if monitoring highlights any breaches of these limits NRW shall be notified as per the relevant section of the permit.

The operator should also provide monthly results, as per the permit requirements. Until the discharge commences to the River Teme please use the format as per your email of 27 Feb 2018 to report this data.

The Operator was asked to provide an action plan to NRW detailing how they propose to resolve the ammonia and soluble reactive phosphorus issues. This action plan has been received and reviewed by NRW. Please provide an update on progress by 16 April 2018. Please also ensure that a procedure is in place to cover the notification section of the permit by this date.

The emission limit exceedances to date have been consolidated into one category 3 breach of permit condition 3.1.2.

A category 4 breach has also been scored against the notification section, permit condition 4.3.1.

Site Walkaround

A tour of a number of lines in the bottling plant was carried out.

The MBR effluent treatment was operational but the reverse osmosis plant is not currently being used. The difference between the quality of the untreated and treated effluent was observed. The SCADA system was demonstrated including a discussion of the alarms.

A second holding tank is in the process of being installed and this area is in the process of being bunded.

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EPR Compliance Assessment Report

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Operator/Permit holder	Radnor Hills Mineral Water Company Ltd	Date	21/02/2018

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
E2	C3	See CAR form text	16/04/2018
G4	C4	See CAR form text	16/04/2018

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.