

Compliance Assessment Report

Report ID:
CAR_NRW0031385

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

Site	R F Brookes	Permit Ref	UP3237CP			
Operator/Permit holder	Solway Foods Limited					
Regime	Installations					
Date of assessment	23/01/2017	Time in	10:00	Out	12:00	
Assessment type	Check Monitoring/Sampling					
Parts of the permit assessed	Odour					
Lead officer's name	Willey, David					
Accompanied by						
Recipient's name/position	William Ellworthy/ Meals Solution Divisional HSE Lead	Date issued	16/03/2017			

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
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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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Odour complaints

NRW received odour complaints received on the 16th and 17th January 2017 with more recent complaints received on the 15th March 2017. After meeting with RF Brookes on the 23rd January RF Brookes responded to Natural Resources Wales stating that they had some problems with the odour plant on Monday and Tuesday of the week commencing 9th January but this did not correlate with the complaints received.

In addition Natural Resources Wales officers have noticed on-going strong odours in the area that they have associated with the processes undertaken on site.

In line with permit condition 2.2.6.2 the following action has been implemented to identify the potential source(s) of odour and identify abatement techniques where applicable. The permit condition requires the Operator to submit an odour management plan for approval to prevent, or where not practicable, minimise the odour.

The following documents will assist with this work:

- How to comply with your environmental permit – page 61.

www.naturalresources.wales/apply-for-a-permit/environmental-permitting-regulations-guidance/guidance-to-help-you-comply-with-your-environmental-permit/?lang=en

- How to comply with your environmental permit. Additional guidance for The Food and Drink Sector (EPR 6.10) – page 29 and 34-35

www.naturalresources.wales/apply-for-a-permit/environmental-permitting-regulations-guidance/guidance-to-help-you-comply-with-your-environmental-permit/?lang=en

- H4 Odour Management

www.naturalresources.wales/apply-for-a-permit/environmental-permitting-regulations-guidance/horizontal-guidance/?lang=en

- Food and Drink current BREF – page 342 Techniques for minimising air emissions.

ACTION: By the **30th June 2017** RF Brookes are to submit to Natural Resources Wales an odour management plan providing an inventory of all odour sources on site with associated activities within the process. The odour management plan should consider, but not be limited to, the following:

- For each odour source identified the associated abatement shall be provided. Where there is no abatement suitable justification shall be provided.
- Where abatement is in place justification will be provided for selecting that technique with appropriate evidence provided.
- The inventory should include normal and abnormal operational emissions. Characterising each emission point allows subsequent comparison and ranking with other site emission points.
- A systematic way to identify normal operational emissions to air is to work through each process and identify all potential emissions.
- A checklist approach in conjunction with a process and instrumentation diagram, may be used. The range of keywords to incorporate into the checklist will probably differ considerably from operation to operation.
- The study can be conducted with varying degrees of sophistication. Process flow sheets or process and instrumentation diagrams can be used during a tour around the site to systematically identify all the emission sources.
- An improved understanding of the activities known to give rise to particularly high levels of odour should be identified and a process put in place to allow interaction with the engineering team to ensure appropriate abatement/controls are in place.

On completion of this exercise RF Brookes will liaise with Natural Resources Wales to discuss the findings and resulting actions.

END

EPR Compliance Assessment Report

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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			

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.