

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

Site	Llay Feed Mill EPR/AP3337HF	Permit Ref	AP3337HF		
Operator/Permit holder	2 Agriculture Ltd				
Regime	Installations				
Date of assessment	31/01/2017	Time in	10:30	Out	11:45
Assessment type	Audit				
Parts of the permit assessed	All Below				
Lead officer's name	Ellis, Rhys				
Accompanied by	Frost, Julia				
Recipient's name/position	Brian Parcesepe/ Feed Mill Manager	Date issued	17/02/2017		

### 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
B4 - Infrastructure - Containment of stored materials	A	
E1 - Emissions - Air	A	
F2 - Amenity - Noise	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

**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>0</b>	<b>Total compliance score</b> (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

The purpose of today's visit was to discuss the site's proposal to install a new extruder plant on site and undertake a routine inspection.

Present in the meeting was Regulatory Officers Rhys Ellis and Julia Frost from Natural Resources Wales and Brian Parcesepe (Feedmill Manger) of 2 Ariculture.

### **Proposed new Extruder plant.**

In summary the extruder plant will include the installation of 2 new raw material silos (200 tonnes each) which will link into the main plant which will then discharge final product into a finish product silo of 100 tonnes capacity.

Site confirmed that there will be 3 main emission points, one from the grinder via the cyclone, and the second and third being from the cooling systems.

The location of the plant will be located within the current vehicle wash unit and scrap metal storage. (photograph 1 below) .The vehicle wash facility will be relocated to the newly purchased land adjacent the site which is outside the installation boundary.



As highlighted in the meeting the introduction of this plant will require a permit variation.

You highlighted during the visit that the capacity of the extrusion plant would be 120 tonnes a day and it was our understanding that the actual capacity of the extrusion plant is less than 300 tonnes per day and that the heat for the process will be fed by existing boilers on site.

There are 3 types of variation to consider. Technical Variation, normal variation and substantial variation. Based on the information provided to date and the fact that some form of technical assessment will be required by our permitting team it is likely that your application would fall under a normal variation.

Your application must consider potential for any demonstrable adverse impacts including the sure of the H1 risk assessment tool. Any changes to emissions to water / sewer should also be considered (Vehicle wash etc)

It would be up to you to demonstrate (considering the above) the level of variation you deem most appropriate to apply for.

Costs: A normal variation would cost £6,726 and a Substantial would be £13,334

Please note that for a normal variation the typical timescales includes 21 days for duly making the application and 3 months determination time.

For further advice on how you can vary a permit please see application forms and guidance notes available from the link below. All applicants (except those applying for an administrative change only) must fill in part A and F, and complete the appropriate part C sections.

<https://naturalresources.wales/apply-for-a-permit/installations/apply-to-vary-change-a-permit-for-installations/?lang=en>

### **Newly purchased land.**

The operator confirmed that the site have recently acquired a parcel of land to the east of the site. The aim is to move operations such as the vehicle wash to this area. Please note that your current installation boundary does not cover this parcel of land. You have the option to vary your permit to include this area under your existing installation permit should you wish to carry out permitted activity.

### **F2 Amenity - Noise**

Whilst standing near the vehicle wash area a noise attributed to a conveyer running empty was heard. This noise could have the potential to create annoyance off site. Please can the site confirm what actions has been taken in regards to this issue. Please provide this information no later than 30th March 2017.

Please note that condition 2.9 of your permit states that the operator shall use BAT so as to prevent or where that is not practicable to reduce emission of noise and vibration from the permitted installation, in particular;

- Equipment maintenance, eg. of fans, pumps, motors, conveyors and mobile plant;
- Use and maintenance of appropriate attenuation, e.g silencers, barriers, enclosures;
- Timing and location of noisy activities and vehicle movements;
- Periodic checking of noise emissions, either qualitatively or quantitatively; and
- Maintenance of building fabric.

### **B4 Containment of stored materials. - Secondary containment.**

Reference was made whilst going round site to the 2 black tanks which contained Lysine (picture 2 below). It was noted that although most of the tanks under question are within a bund, there is no containment for the top section due to the presence of the sheeting that has been installed to prevent rainwater ingress to the bund. The presence of this sheeting also unfortunately limits the sites ability to detect any leaks or to undertake routine inspections.

The risks are exacerbated by the fact that in the immediate vicinity there is a surface water drain.

Condition 2.2.5.1 of your permit stipulates that the operator shall use BAT so as to prevent or where that is not practicable to reduce fugitive emissions of substances to water ( other than groundwater) and sewer from the permitted installation in particular from:

- All structures under or over ground
- Surfacing
- Bunding
- Storage areas

The site should look into this matter and feedback to Natural Resources Wales of how they will ensure compliance with condition 2.2.5.1 of the permit .

Please respond by 30th March 2017.



**G4 - Reporting and notifications.**

Thank you for forwarding the emission to air in accordance with permit condition 4.1.2.1. Results conclude that you are compliant with emission limit values.

You have also provided information to comply with permit condition 4.1.2.2 and 4.1.3 namely water and energy usage and waste disposal and/or recovery and annual production / treatment and performance parameters.

It appears that total waste for disposal has increased and total waste for recovery has decreased since last year.

- Are you able to provide an explanation in regards to this trend?
- Amongst some of your annual improvements targets for 2017 for waste is to improve waste segregation on site which is still on going, is the site able to provide more information on this matter?

Please can you respond to these 2 points by 30th March 2017.

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0031132**

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Operator/Permit holder	2 Agriculture Ltd	Date	31/01/2017

### 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			

## 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.