

Compliance Assessment Report

Report ID:
CAR_NRW0026978

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

Site	Swn Y Don Poultry Farm EPR/GP3338WH	Permit Ref	GP3338WH			
Operator/Permit holder	Hook 2 Sisters Limited					
Regime	Installations					
Date of assessment	10/06/2016	Time in	13:00	Out	14:00	
Assessment type	Site Inspection					
Parts of the permit assessed	1.1, 3.1, 3.3, 3.4, 3.5, 2.7					
Lead officer's name	Haider, Helen					
Accompanied by						
Recipient's name/position	Andy Irving/ Environment Manager	Date issued	28/09/2017			

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	1.1.1
B2 - Infrastructure - Closure and decommissioning	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C2 - General Management - Management system and operating procedures	A	
E2 - Emissions - Land and groundwater	C3	3.3
E3 - Emissions - Surface water	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	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.

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
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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

B1 Infrastructure- Engineering for prevention & control of pollution (Permit condition 1.1.1)

E2 Emissions- land & groundwater (Permit condition 3.3)

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Permit condition 1.1.1 states that 'the activities shall be managed and operated in accordance with a management system which identifies/minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints'

Permit condition 3.3 states that 'Fugitive emissions of substances (excluding odour, noise & vibration) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, those emissions. All liquids whose emissions to water or land could cause pollution shall be provided with secondary containment, unless the operator has used other appropriate measure to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container

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*During the visit there were areas of concrete on site that were damaged or missing and need repair as they are a direct pathway for wash water to drain to ground rather than entering the collection system. The areas of concern are deep cracking in front of sheds 7, 9 & 11, deep cracking between sheds 10 & 12 and damaged concrete by sheds 3 & 5 that may need re-surfacing. We agreed that the repairs needed on site must be undertaken by **25th July 2016**. We also discussed an area by shed 6 where during wash down, litter is being pushed over the kerbed area onto open ground. Please ensure that this area is cleared as soon as possible and that no further occurrences take place. In the longer term you should consider installing a screen or similar to prevent litter going onto open ground. Site has received a CCS category 3 score for non-compliance with permit condition 1.1.1 and a CCS category 3 score for non-compliance with permit condition 3.3. As wash down is likely to take place prior to all of the repairs to the concrete taking place, you must use temporary measures (e.g. sleeping policeman, bund or sandbags) to ensure wash down water cannot drain to ground or surface waters.*

Not following the sites own management systems is the likely root cause for the non-compliant activities witnessed on site.

General Comments:

In general the joints between the concrete are in need of re-sealing in the near future in order to prevent further routes for wash water to drain to ground developing. You said that re-sealing these have been factored into your programme of works for this year. You should ensure that the joints between the concrete

and cracking are sealed by **31st December 2016**.

Site closure surrender review

Review completed in May 2015- compliant with condition 2.7.3

Odour/Noise Management Plans

Management plan reviews completed in May 2015- compliant with conditions 3.4.1 & 3.5.1 (schedule 1, table S1.4 & s1.5)

Entrance sign & Permit in office

A new sign has been placed at the site entrance displaying the correct permit number. Permit number has been changed in the site office.

Moss in guttering

Guttering was free of blockage from moss during the visit

Drainage Plan

Minor amendments have been made to the drainage plan to ensure it is correct.

EPR Compliance Assessment Report

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Operator/Permit holder	Hook 2 Sisters Limited	Date	10/06/2016

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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	Repair damaged concrete and clear litter from open ground	25/07/2016
B1	C3	repair damaged concrete	25/07/2016

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.