

Compliance Assessment Report

Report ID:
CAR_NRW0031908

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	14/07/2017	Time in	11:00	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Odour management plan				
Lead officer's name	Willey, David				
Accompanied by					
Recipient's name/position	William Ellworthy/ HSE Lead	Date issued	28/07/2017		

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
F1 - Amenity - Odour	C3	2.2.6.1
	C3	2.2.6.1

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)	8
-----------------------------	---	--	---

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

Actions from previous CAR Forms

CAR Form following visit on 26th May 2016

ACTION: Solway Foods Ltd to supply the amended procedures and demonstrate where it fits into the sites EMS for cleaning in this area to NRW. **COMPLETED**

ACTION: Please could you supply the monitoring report for the emissions to air? Nox and CO levels appear to be high for A5 and A7. **COMPLETED**

ACTION: Solway Foods Ltd to provide the procedure for daily checks to NRW. **Carried forward**

ACTION: Solway Foods to add text to their internal response document to the effect of 'Contact NRW in line with condition 5.1.1. of the permit' when there is an incident on site to avoid any future non-compliances. **Carried forward**

ACTION: Please could you confirm that the data in S1 is for July to December? The reason for requesting is due to the form stating it is for the period January to December. **Carried forward**

CAR Form following visit on 23rd January 2016

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.

A two-week extension was requested and agreed with NRW, new deadline for submission is the 14th July 2017. The report has been submitted to NRW and was discussed at the meeting on the 14th July. The following comments were made at the meeting:

- The plan should be a 'live' document that can be updated as and when required.
- Section 3.2 mentioned the increased extraction at the site due to staff comfort issues. The site needs to ensure there is sufficient capacity in the Thermal Oxidiser to treat the extracted air. This has been identified by the site as a potential issue.
- The site needs to be able to demonstrate the destruction efficiency of the abatement equipment.
- Further investigation of the roof louvres with changes in the temperature settings being undertaken.
- The site does not have contingency measures in place if the abatement kit is not operational. In this instance NRW and the LA are informed. The environmental impact is minimal, however, there will be an increase in the level of nuisance to neighbouring communities. The site will get the abatement equipment back up and working as soon as possible.
- An overview of the emission points from the roof would be beneficial, describing where the odour comes from and the typical odour associated with it. This could also include a level of offensiveness associated with it.
- Is it worth creating a complaint form for members of the public to fill and submit that would include a description of the odour.

The site also mentioned that the JIMCO abatement kit is being serviced on the 21st July. This will help indicate the effectiveness of the kit.

The site has invested in two new kettles (cooking vessels for reducing the curry's). These new kettles collect the steam and discharge through the sites effluent therefore reducing the odorous air in the building.

Options for odour abatement were discussed. The draft Food, Drink and Milk BREF document can be found from the below link. Relevant information can be found in section 2.3.7.3 and 2.4 for emerging techniques.

<http://eippcb.jrc.ec.europa.eu/reference/fdm.html>

This should help provide an indication of what the sector sees as the most appropriate abatement.

Noise complaints

3rd February 2017

Complaint received from a local resident in Tanybryn who experienced excessive noise last night (2nd February) and early hours this morning (Helicopter, whirring machinery noise). The complainant states that this noise stopped at 4:30am and started back up at 5:00am

A full investigation has been completed and it appeared to be the waste removal tanker. It has been re-briefed to the security team that no tankers are to be allowed on site between the hours 21:00 and 06:00.

Odour complaints

The following complaints have been received since the last CAR Form issued on 16th March 2017:

22nd May 2017

Caller reporting ongoing odour from the site and stated it is noticeable almost every day.

DW attended site on the 22nd May 2017 in order to substantiate the odour complaint. Prior to attending the area of the complainant DW attended Snow Drop Lane at 16:45 to the south of the site where odour was detected similar to that experienced on site. The odour here was strong enough to be a nuisance and was associated with the activities on site. DW then attended the area where the complaint was received at 16:55 but was unable to detect any odour, this would likely to be due to the change in wind direction from the north.

Considered a Category 3 breach of permit condition 2.2.6.1 that states that emissions from the activities shall be free from odour at levels likely to cause pollution outside the site as perceived by an authorised NRW officer.

31st May 2017

Unable to attend site on day of report but attended site on the 1st June at 10:12 and was able to detect an odour similar to that experienced on site. The wind was coming from the site and DW was able to substantiate the complaint. A member of staff from the site also attended the location but the smell had moved from this location but we were able to detect the odour at Maples Gardens that is to the North of the site.

Considered a Category 3 breach of permit condition 2.2.6.1 that states that emissions from the activities shall be free from odour at levels likely to cause pollution outside the site as perceived by an authorised NRW officer.

14th June 2017

Odour complaint received, described to be an onion type smell. This complaint was not

substantiated.

The site are in the process of completing the odour management plan and are being proactive in their approach to identifying and mitigating the odour experienced off site. Any complaints received during the period whilst this work is being undertaken, and any breaches of the permit will be recorded but not attract a score.

Odour notifications

13th June 2017

NRW made aware of an issue with one of the valves to the odour abatement plant 1, the damper has failsafe to atmosphere so there may be an odour alert (Inline – Searer Machine – Cooked Chicken). The site are endeavouring to repair ASAP.

15th June 2017

The site have had to shut down the inline odour abatement plant due to a fault with one of the fans. It should only take 3-4 hours to rectify and the site will inform NRW the actual timings the plant is off when back up and running.

27th July 2017

Wales and West utilities have advised the site that they will be working on the gas supply on Thursday 28th July. It is likely that the site will have to shut down the odour abatement in order to load share. The site will be running some trials on the 27/07/17.

2016 returns

The following have been received with the associated comments / actions:

- Accident Management Plan received November. No comment.
- Fugitive Emissions Plan received August covering seagull control. No comment.
- Notification of a spill of waste water and potato peelings on 10th July 2016. No comment.
- Form S1 for Jan – June 2016 (pH and flow only) and S1 for January to December 2016. No comment.
- EMS 2016 received February

ACTION: Please could you confirm the EWC code referred to in the Waste Management Internal Audit Example where a waste code 10850 is stated. Please ensure the appropriate waste code is entered.

The Rogerstone Park Environmental Management Review also states that the water metre is MCERTS compliant following an inspection on 15th August 2016.

ACTION: Please could you supply the associated report / certification and licence?

Energy use has continued to increase with the CO2 per unit increased to 1.06 from 0.89 in 2015 and 0.84 in 2014. Previous years have had a decrease.

- *Form A1 2016*

ACTION: Emission points for the two new stacks at the oriental pod have been named A8 LHS and A8 on the Form. The permit references these as A9 and A10. Please ensure the returns have the correct emission point allocated to avoid confusion. This has been amended by NRW in the returns submitted.

- *Form R1*

General waste was reported as 1812 tonnes disposal, this has been confirmed as incorrect and should be recovery. The site sends the waste to an Anaerobic Digestion (AD) plant for recovery with the waste that cannot be processed for AD incinerated with electricity produced from the resulting heat. The incinerator has recovery status, therefore this waste stream can be deemed a recovery route. This has been amended by NRW in the returns submitted.

- *Form E1*

Data has been reported in KWh and therefore appears higher than previous submissions. NRW will amend this data to MWh for trending. This has been amended in the return.

ACTION: NRW to share trending spreadsheet with the site.

- *Form S1 6 monthly return*

ACTION: Please could you supply a copy of the consent held with Welsh Water in order to confirm the flow rate?

Variation application for CHP

RF Brookes discussed the addition of a new CHP unit to the rear of the Energy Centre. The engine will be 2700 kw gas engine and be on a 10 year lease from the engine provider.

The type of variation is dependent on the level of impact the engine will have on the environment but will most likely be a normal variation. During the meeting it was discussed that the air quality assessment should include all the existing sources based upon actual monitoring data. It is likely that the new gas engine will need to be compliant with the emission limit values set out in the Medium Combustion Plant Directive.

There is also the potential to include the area of land where the AD process use to operate. This option would depend on the timing of the surrender application for the AD plant being submitted.

End

--

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0031908**

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	Date	14/07/2017

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			
F1	C3	Odour Management Plan to be submitted.	31/08/2017
F1	C3	Odour Management Plan to be submitted.	31/08/2017

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.