

Compliance Assessment Report CAR_NRW0039930

Permit being assessed: YP3632EM.

For: Sandycroft Poultry Processing, held by 2 Sisters Food Group Limited

At: VION Sandycroft Glendale Avenue , Sandycroft, DEESIDE, Clwyd, CH5 2QP.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 19/05/2022 between 11:00 and 11:50.

Parts of permit assessed: various

NRW Lead Officer: Rebecca Harwood.

Report sent to: Steven Van Der Keift, HS&E Manager on 30/05/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Action only (X)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
A1 - Specified by permit	C3 Minor	Condition 2.1.1
A1 - Specified by permit	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
1	4

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
F2	see Action 1 below	30/09/2022
A1	see Action 2 below	30/06/2022
A1	see Action 3 below	30/06/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

This Compliance Assessment Report follows a routine inspection of the site on 19 May 2022.

The on-site inspection took place between 11:00 and 11:50 with 2 Sisters Food Groups HS&E Manager.

Odour

An off site inspection for odour was undertaken prior to and after the onsite visit at Rectory Lane, Glendale Avenue and Bernsdale Close. No notable odour was detected at the time of the inspection.

Recent odour complaints were discussed - there was not always an obvious source for the odour at the time of the complaints, however it is noted that some may be linked to trailer change overs or the removal of refrigerated CAT 2 and 3 dolavs. The Operator has requested that ABP haulier drivers are asked not to park up in the local vicinity when they leave site.

The site was being kept clean and regularly washed down to minimise odour. The Operator confirmed that the ETP is deep cleaned every morning and the area around the CAT 3 trailers is cleaned with foaming agent twice daily. NRW raised the possibility of utilising odour control manhole inserts across the site. NRW will provide the operator with further information.

It was noted that a CAT 3 dolav was not covered when moved to the outdoors, this was rectified at the time and the Operator stated that procedures would be reiterated to staff.

The roller shutter doors to the front of the lairage area are being sealed, this should assist with reducing odour and noise in this area.

Noise

The Operator has undertaken some night time surveillance of the site to locate specific noise sources so that these can be addressed and mitigated. The results of this were submitted to NRW on 03/05/2022. The actions identified are to be implemented and a follow up survey is to be undertaken in order to identify any persistent issues. This information should be used in conjunction with the SLR report to identify any further mitigation measures.

As previously noted, the Despatch Bay operations have been identified as the most significant noise source.

Action 1 from CAR_NRW0039342 remains outstanding in terms of ranking of sources, what noise control measures there are and whether the site is operating to BAT.

Action 1: Keep NRW informed of progress relating to noise emissions and mitigation measures. A final report should be issued to NRW by 30/09/2022 to meet the requirements

of Action 1 in CAR_NRW0039342.

Birds

The number of birds on site at the time of the visit has improved. Netting is still to be extended across the back yard area and by the lairage - this is being followed up by the Operator to ensure it is completed and dates are to be confirmed.

Secondary Containment

Previous concerns around IBCs not being stored on bunds has been resolved with new bunds in place. The Operator is also reviewing the bunds being used and is considering upgrading these so that IBCs are fully enclosed.

Operating techniques

The unauthorised activity relating to the use of the trailer for the removal of carcasses is still continuing. **This has been scored a CCS3 breach of Condition 2.1.1.** 2SFG stated that this continued operation is as a result of being unable to export the carcasses due to Avian Influenza. NRW whilst on site stated that this cannot continue without a permit variation as this operation is not permitted within the permit.

Action 2: The Operator should review the current operation relating to the disposal of carcasses in light of the fact that this has become an ongoing issue and update NRW as to actions to be taken to resolve the issue.

Permit Variation

The Operator confirmed that SLR Consulting have been engaged to undertake a gap analysis of activities at site in order to regularise the works and ultimately submit a permit variation.

Action 3: Please provide indicative timescales for submission of a permit variation following SLR's visit to site.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.