

Compliance Assessment Report CAR_NRW0040055

Permit being assessed: SP3430RL.

For: Llangefni prepared meats, held by 2 Sisters Food Group Limited

At: Llangefni Prepared Meats Industrial Estate Road , LLANGEFNI, Gwynedd, LL77 7UX.

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

On 09/06/2022 between 10:30 and 12:30.

Parts of permit assessed: 1.3, 2.2, 2.3, 4, 5

NRW Lead Officer: Anthony Roberts.

Report sent to: Simon Muirhead, Engineering Manager on 24/06/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.3, 2.3
E3 - Emissions - Surface water	C3 Minor	2.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	5 Notifications

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

Total number of non-compliances recorded	Total non-compliance score
3	12

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
C2	Instigate repair and bunding programme and revise management and operational procedures	26/08/2022
E3	Remediate pipe work and conduct full audit of refrigeration system, bund refrigeration apron to CIRIA standards and fit early warning and penstock closure system to surface water drainage system	26/08/2022
G4	Ensure all notifiable incidents are submitted to NRW within permitted time limits.	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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Ammonia Leak and Follow Up Site Inspection – 2 Sisters Food Group LTD.

On the 09/05/2022 at 04:45am an ammonia breach from a fractured pipeline in the site refrigeration system was detected by site staff. A small amount of ammonia estimated (from the schedule 5 notification) to be up to 1000ml was released on to the un-bunded concrete apron supporting the equipment. The spill then ran off the un-bunded apron into the drainage system. Site then took the following actions:

- The leak was identified and once deemed safe, isolated.
- Brooktherm were contacted and attended site to assist with repair work
- Penstock valve at the front of the factory by exit gate closed at time of incident 09/05/2022
- Water sample taken 09/05/2022 0.8mg/l
- Water reading 10.05.2022 13.6mg/l
- Penstock chamber emptied by vacuum tanker – effluent returned back to site holding tank and processed through the ETP
- Water reading 11/05/2022 0.0mg/l
- Effluent returned back to site holding tank and processed through ETP
- Water reading 12/05/2022 0.0mg/l
- Penstock valve open site discharging water

A discharge of ammonia into the watercourse was averted by the immediate closure and monitoring of the penstock valve. The following day raised ammonia at 13.6 mg/l was detected at the closed penstock sample point, which was removed and discharged into the effluent treatment plant then to trade effluent sewer. The penstock sample point was sampled again on the 12/05/2022 and was clear of contamination, at which point surface water discharge was resumed.

1.3 Overarching Management Condition

1.3.1 *Without prejudice to the other conditions of this Permit, the Operator shall implement and maintain a management system, organisational structure and allocate resources that are sufficient*

to achieve compliance with the limits and conditions of this Permit.

The spill was due to poor maintenance of pipework and a lack of bunding of the concrete apron supporting the refrigeration unit. A review of management procedure is underway and proposal for bunding should be submitted to NRW by the 8th July 2022. **A CCS score of CCS3 has been applied for breach of this condition.**

2.2 Emissions

1. 2.5 Fugitive emissions of substances to water and sewer

2. **2.5.1** *Subject to condition 2.2.5.2 below, 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:*

3. *all structures under or over ground surfacing*

provided always that the techniques used by the Operator shall be no less effective than those described in the Application, where relevant.

NOTE: This includes bunding and storage areas

The refrigeration unit stands on an un-bunded apron and the pipework failure indicates a lack of maintenance and adherence to BAT required standards as stated explicitly in this condition. **A compliance score of CCS3 has been applied for this breach.**

2.3 Management

Maintenance

2.3.5 *All plant and equipment used in operating the Permitted Installation, the failure of which could lead to an adverse impact on the environment, shall be maintained in good operating condition.*

In this instance a lack of compliance with condition 2.3.5, specifically with regard to maintenance has resulted in a breach of condition. **A score of CCS3 has been applied in this instance but is consolidated with the score for the breach of condition 1.3. Therefore, no additional compliance score for management/Maintenance has been applied.**

5. Notifications

5.1.1 *The Operator shall notify the Agency (NRW) **without delay** of:-*

5.1.1.1 *the detection of an emission of any substance which exceeds any limit or criterion in this Permit specified in relation to the substance;*

5.1.1.2 *the detection of any fugitive emission which has caused, is causing or may cause significant pollution;*

5.1.1.3 *the detection of any malfunction, breakdown or failure of plant or techniques which has*

caused, is causing or has the potential to cause significant pollution; and

5.1.1.4 any accident which has caused, is causing or has the potential to cause significant pollution.

5.1.2 The Operator shall submit written confirmation to the Agency (NRW) of any notification under condition 5.1.1, by sending:-

5.1.2.1 the information listed in Part A of Schedule 1(Schedule 5) to this Permit within 24 hours of such notification; and

5.1.2.2 the more detailed information listed in Part B of that Schedule as soon as practicable thereafter.

and such information shall be in accordance with that Schedule.

The schedule 5 proforma to report this incident was not received by NRW until the 6th June 2022, almost a calendar month late. The incident had been responded to immediately by site staff, but this reporting delay is an unacceptable breach of the above permit condition and schedule 5 requirements. The Schedule 5 proforma states:

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution

To be notified within 24 hours of detection

Due to the excessive delay in reporting of this incident, a compliance score of CCS3 has been applied.

Following the notification, an NRW site visit was conducted on the 09th June 2022, with site Engineering Manager, Simon Muirhead, to inspect the defective infrastructure and agree actions to remediate and prevent any further occurrences.

The following list of actions were agreed which must be completed by the 26th August 2022:

List Of Actions Agreed Following Site Meeting -

Response from Simon Muirhead – Site Engineering Manager

1. Investigate the “red” drain that the evaporative condenser empties into to confirm it is a trade effluent drain.
2. Engage with Endress & Hauser on the 17th to develop and implement a solution to continuous monitoring of the ammonia levels in the penstock discharge valve. This will be interfaced with the valve to provide an immediate (alarms and action to close the valve) response should the recommended levels (please advise) be breached. The solution will be subject to site maintenance and monitoring and an annual calibration/validation process will be conducted by an external UKAS accredited company. I estimate this will be in place

by the end of august.

Note: *The surface water discharge point permit limit is 'clean surface water' it is incumbent on site management to agree what this represents. NRW will interpret any sonde detection failure in accordance with the potential the impact on the receiving water.*

3. We will bund the area under the external ammonia plant to a standard (that you will recommend). Any ponding water will be tested and discharged (by limpet pump) to the internal water treatment system. I estimate this will be completed by the end August.

Note: *Bund construction for prevention of pollution should be in accordance with the following CIRIA guidance: '**Containment systems for the prevention of pollution (C736F)**'*

4. We are seeking quotes to perform remedial work to the external ammonia plant system, that will reduce the likelihood of any further leaks taking place- and will update you on the progress of this work.
5. At a later date we will engage with a company to fit a sump pump to the penstock discharge and fit pipe work to the effluent system so that when the surface water can't be discharged it will be pumped into the effluent drains.

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.