

Compliance Assessment Report

Report ID:
CAR_NRW0032864

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

Site	Dowlais Slaughterhouse EPR/AP3433ES	Permit Ref	AP3433ES			
Operator/Permit holder	2 Sisters Red Meat Limited					
Regime	Installations					
Date of assessment	06/02/2018	Time in	10:00	Out	13:30	
Assessment type	Audit					
Parts of the permit assessed	Surface water, odour, noise, security					
Lead officer's name	Taylor, Richard					
Accompanied by						
Recipient's name/position	Matt Dight/ Environmental Manager	Date issued	09/02/2018			

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	O - Suspended	2.10.3
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.1.2
E3 - Emissions - Surface water	C3	2.8.1

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

2 sisters Red Meat.

Site Inspection 6th Feb 2018

1. Pollution incident observed 6th Feb 2018.

Witnessed at outlet of W2 in drainage ditch for approximately 115m flowing eastwards from the outlet of W2 towards W1. The ditch forms a tributary to the Nant Carno and flows East from the site. The ditch is outside the permitted boundary. The latest permitted boundary is found in permit variation V002 issued 5th Aug 2014 and shows the surface water drainage ditch outside the permit boundary. At the time of the inspection, it was thought that this was within the boundary, but subsequently found to be external to it. This has the consequence of being classified as a surface water pollution incident which was observed by a warranted officer for NRW, and seen outside the permit boundary. As a result, **a Category 3 breach of permit conditions has been issued.**

Extract of permit V002 below showing the permit boundary in green and the polluted surface water ditch clearly outside the permit boundary.



1. Description of the pollution.

The substance appeared to be a suspended oily fat/grease which was seen to form a skin on the water surface (Pic 1). Site closed the W2 outlet immediately and phoned their pollution control company – Geo Pollution Technology (GPT formerly Natural Solutions Ltd) and requested they attend site immediately. Site representatives were tasked to contain the outflow using available resources. W2 outlet was manually closed to stop the flow. Sandbags and straw bales were used in the length of the ditch and stopped the substance polluting further down. **No booms were available. No emergency spill kit was used by the site** (see recommendations below). If these had been present, the reaction time to the incident would have been quicker. However, in this case, all the polluting material was seen to be prevented from flowing further afield by the low flows present at the time and the vegetation halting the flows. **A sluice gate** approximately 100m downstream (East) of W2 was seen to be constructed in a way which meant it could not be lowered to stop the flow. Consequently, the pollution was allowed to escape a further 15m or so further.

2. Source of the pollution.

This was inconclusive but the burden of evidence seen pointed to the oil separator seen in Manhole 3 surface water manholes were inspected. Working back upstream from W2, No1 cover was witnessed to have an oily /fatty sheen on the surface. No2, was seen to contain floating solids. No3 was seen to be clear with low flows. It was understood that each one flows into the next, i.e., No3 flows to No2, then to No1. There is an oil separator operating in this location which was apparently serviced a week before. It may be that the capacity of the separator has been breached meaning that it was overtopped. Site needs to evaluate the loading of this separator to ascertain its continued suitability for the job (see list of recommendations below). The car park was also inspected to locate further potential sources, but proved negative. The top part of the car park is currently a construction site. As no other sources were identified, the No2 manhole/ oil separator is suspected as being the source.

3. Dealing with the pollution.

GPT arrived promptly on site within 1-2 hours of notification and tasked to clean out the No2 manhole, and suck up the surface polluting material from No1 as well as the surface grease along the drainage ditch. Booms were employed at W2 to contain further pollution. A sample was taken for analysis. **Please forward the results to NRW for analysis.**

The substance was witnessed to be present on the surface from W2 in the direction of W1 for approximately 115 metres eastwards. W1 (See pics)

On leaving the site, the pollution was seen to be clear 115 downstream and only localised to the outlet of W2.



Other Issues

1. The access to W1 sampling point was seen to be unsafe in accordance with M18 guidance at section 5.4.

5.4 Access, facilities and services

Access, facilities and services required for sampling will vary depending on the approach taken to monitoring, and the equipment used. However, all require:

☑ a safe means of access to, and a safe place of work at the sampling position

The W2 outlet was previously upgraded to include concrete steps and a handrail after recommendations made in the site OMA report dated 18th Feb 2015 – ‘2A. *Current sampling access to W1 and W2 falls below safe access criteria and needs urgent improvement. Recommendation; Site needs to provide safe access to the workforce for these locations. M18 guidance provides information on best practice. Options to consider are, steps with guardrails to the sampling points with gridded walkways to stand on whilst sampling, or a remote system similar to S1. At present access and sampling of W1 and W2 is unsafe*’. Therefore it was disappointing to see that the W1 sampling location had not been improved at the same time as W2 and to the same standard with concrete access steps and a handrail.

Permit condition 2.10.3 requires the site to provide ‘safe and permanent means of access to enable sampling/monitoring to be carried out in relation to the emission points specified in Schedule 2 and safe means of access to other sampling/monitoring points when required by the agency’.

NRW find the access to W1 to remain unsafe for access due to the steep slope down a grass bank. This could be a breach of this permit condition, however, we think the best option is to give site a 3 month deadline to re-evaluate the access to this sampling location and justify the approach taken by writing the findings into a report. Report due 1st May 2018.

Decision - Report back results of review. Permit breach of condition 2.10.3 suspended. (see summary table below).

2. Security. Good security at site. Thorough check of ID documents carried out. Full declaration of previous movements to other sites carried out. Access to and from site is via a single controlled gate. Staff in the guardroom were thorough and efficient.
 3. Seagulls, pests, vermin – none seen at the time of inspection.
 4. Odour – no excess odour experienced inside or outside the site.
 5. Noise – No excessive noise was witnessed at the time.
 6. Tidyness – exceptional levels of husbandry seen throughout the site visit. No litter seen on site or gathered on site wire fences.
-
7. Site follow up visit 8th Feb 2018

NRW carried out a follow up visit to gain a sample of the suspected pollution. The surface water at W2 was seen to contain booms placed by GPT. There was still surface water fatty/oil deposit seen on the surface although to a lesser level, and this was contained to the local area of W2 and by the booms. 2 samples were taken at this location. One inside the pooled area shown, and one just outside (downstream). These will be analysed for fat/oil content of the water.

W2 outlet – surface sheen still present, but contained by booms.



Further downstream at the confluence of W1 and W2 streams the water was seen to be running offsite clear. NRW satisfied no pollution is entering the Nant Carno.



Summary of actions to be completed by **1st May 2018.**

1.	No booms or spill kit used by site staff for the immediate response.	Recommendation – booms and emergency spill kits to be available on site.
2.	Sluice gate – positioned 100m downstream of W2 currently ineffective.	Site to evaluate the purpose of this gate
3.	Current Separator may be under the specification necessary to deal with this discharge	Evaluate the efficiency of this separator and upgrade if required.
4.	Site to provide Waste transfer notes to NRW for the waste used in site clean-up operation	Necessary for the closure of this case.
5.	Site to provide to NRW a copy of the lab results of the surface water samples taken on 6 th Feb 2018 by GPT.	These will be compared to samples taken by NRW on 8 th Feb and shared with site to improve management.
6.	Site to re-evaluate the current provisions for surface water management. This may include an evaluation of the current system and improvements to be made. Note ; A permit variation would be needed to alter the current site boundary to include the W2 tributary to the Nant Carno – as well as alterations to the current W1 and W2 positions.	Please provide a planned solution to the current system in place so that the risk of surface water pollution is reduced. Report due to NRW on 1st May 2018. Site is to continue to use booms at W2 to reduce the risk, ensuring these are inspected regularly and disposed of correctly.
7.	Site to evaluate a duty walk-round at shift start to identify pollution sources, i.e. surface water.	Scheduled walk-round site could have identified this pollution earlier.

Summary of permit breaches

Permit Condition		
2.1.2	All plant and equipment to be maintained in good operation condition	Oil separator failure. Cat 3 breach imposed for a minor pollution.
2.8.1	Pollution not prevented from leaving permitted site boundary	Cat 3 breach imposed for surface water breach outside permit boundary with a minor environmental effect.
2.10.3	Safe access to W1 sampling location	Breach of permit condition suspended. No breach imposed – instead 1 st May 2018 deadline for proposal in place.

End.

--

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032864**

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

Site	Dowlais Slaughterhouse EPR/AP3433ES	Permit Ref	AP3433ES
Operator/Permit holder	2 Sisters Red Meat Limited	Date	06/02/2018

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			
E3	C3	Stop pollution at source. Re-evaluate operations	01/05/2018
B3	C3	Evaluate current performance of surface water system in place. Provide report to NRW on 1st May 2018 detailing improvements	01/05/2018
A1	O	Review present access arrangements	01/05/2018

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.