

Compliance Assessment Report CAR_NRW0040120

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 12/07/2022 between 14:30 and 15:45.

Parts of permit assessed: Various

NRW Lead Officer: Rebecca Harwood.

Report sent to: Steven Van Der Keift, HS&E Manager on 29/07/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C2 Significant	Condition 2.1.1
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
1	31

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
A1	The use of the open trailer shall cease by 02/08/22 and the Operator must revert to operational practices that are in accordance with the permitted operating techniques.	02/08/2022

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 12 July 2022.

The on-site inspection took place between 14:30 and 15:45 with the 2 Sisters Sandycroft Engineering Manager.

Operating Techniques

The unauthorised activity relating to the use of the open trailer for the bulking up and removal of carcasses is ongoing. NRW continues to receive complaints from local residents regarding birds dropping carcasses, including photographs of chicken parts.

Numerous birds (gulls) were observed circling the yard area and on and in the trailer. This issue has been highlighted to the Operator on 3 separate occasions and subject to non-compliance scores. The activity has the potential to cause a significant off site impact. **This has been scored as a category 2 breach of Condition 2.1.1.**

The Operator stated on 25/07/22 that they would return to the use of dolav bins loaded onto refrigerated trailers from inside the building by 01/08/22.

Action 1: The use of the open trailer shall cease by 02/08/22 and the Operator must revert to operational practices that are in accordance with the permitted operating techniques. Completion of this action will be verified through an NRW site inspection.

If this activity continues beyond 02/08/22 NRW will consider its enforcement response.





NRW observed a number of dolavs being left outside uncovered both by the exit door and by the trailer. Carcasses were also seen under the trailer.



**Odour**

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

There has been an increase in odour complaints over the last month. It has not been possible to identify the source of odour or substantiate any of the odour complaints. NRW officers continue to undertake ad hoc checks in the area.

The site was being kept clean and areas regularly washed down to minimise odour. The Operator again confirmed that the ETP is deep cleaned daily and the area around the trailers is cleaned with foaming agent.

NRW recommended that the drains in the yard were cleaned and jetted to see if this helped reduce any off site odour. This was completed by 2 Sisters on 13 July 2022.

Recent Welsh Water monitoring results were requested, these did not indicate any issues with the effluent leaving the site.

Noise

A trailer in the despatch bay was running on electric but seemed to be considerably louder than other electric trailers. NRW recommended that the trailer company be contacted to inspect it to ensure it is running correctly. If further issues are found with trailers these should be reported back to the company and investigated.

Permit Variation

If the Operator intends (in future) to handle carcasses in a manner that is not in accordance with the existing permitted operating techniques then a variation application should be submitted for determination by NRW. The Operator will be required to make a BAT demonstration for any proposed changes.

SLR Consulting have been engaged to undertake a review of site activities and submit a permit variation.

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.