

Compliance Assessment Report CAR_NRW0040484

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 29/09/2022 between 14:15 and 14:50.

Parts of permit assessed: various

NRW Lead Officer: Rebecca Harwood.

Report sent to: Steven Van Der Keift, HS&E Manager on 07/10/2022.

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 (Suspended)	Condition 2.1.1
C2 - General Management - Management system and operating procedures	Action only (X)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
B4 - Infrastructure - Containment of stored materials	Action only (X)	
F1 - Amenity - Odour	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	0

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	see text below	31/03/2023
C2	see text below	14/10/2022
B1	se text below	31/10/2022
B4	see text below	14/10/2022

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

Following previous site inspections relating to the disposal of carcasses and the subsequent proposal by the Operator to install an inflatable building to house the carcass trailer, a further site inspection was undertaken on 29/09/2022 to review the operation.

As identified previously the Operator is in breach of their operating techniques. The Operator has provided an action plan to return the site to compliance in their letter submitted to NRW dated 02/09/2022. This included the installation of a temporary inflatable building whilst a formal permit variation is submitted and planning permission sought for a more permanent solution. As detailed in our letter to the Operator dated 16/09/2022, NRW accepted this proposal as a temporary arrangement for an initial 6 month period (pending the submission and successful determination of a permit variation). During this period, and whilst the temporary building is being used as agreed, any non-compliances related to the management of carcasses will be suspended. If the Operator does not comply with the agreed action plan, or if this temporary arrangement leads to an adverse environmental impact NRW reserves the right to unsuspend these scores.

At the time of the inspection the inflatable building had been installed and the bulk trailer was located inside. **As the Operator is still operating in breach of their operating techniques this has been scored as a category 2 breach of Condition 2.1.1 but this has been suspended as the Operator has implemented their action plan.**

Action: Progress with formal permit variation.

The building is tethered to the concrete. Air compressors to keep the building inflated are located outside the structure and are installed within acoustic boxes. The entrance to the building was open and it was recommended that doors be added to this in addition to the plastic strip curtains to ensure that when not in use odours are contained and birds are unable to access the carcasses. NRW also stated that the trailer should be covered when not in use.

Dolavs were not being tipped at the time of the visit. The Operator stated that dolavs will be loaded into a refrigerated trailer from the main building and that this will then reverse into the entrance of the inflatable building, the dolavs will then be off loaded and tipped into the trailer.

Action: Investigate installing doors to the entrance. Please provide NRW with an update by 31 October 2022.

Action: Ensure the trailer is covered when not in use, this should be incorporated into the safe working procedure.

The continued use of the inflatable building as an agreed interim solution will be monitored regularly by NRW officers to ensure compliance. NRW reserves the right to take enforcement action and require you to stop this temporary arrangement if it leads to an

adverse environmental impact.

The number of gulls present at the facility at the time of the visit had decreased. Netting over the rear yard appears to be working as a deterrent, however, this area should continue to be monitored to ensure it is kept clean.

Action: A recent delivery of IBCs at the rear of the site should be moved so that they are stored on the bunded areas.

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.