

Compliance Assessment Report CAR_NRW0041187

Permit being assessed: AB3591ZQ.

For: Maelor Foods Limited, held by Maelor Foods Limited

At: Maelor Foods Limited, Pickhill Lane, Cross Lanes, Wrexham, Wrexham, LL13 0UE.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 15/02/2023.

Parts of permit assessed: See Below

NRW Lead Officer: Philip Harper.

Report sent to: Sean Hutchinson, Health Safety and Environmental Manager on 21/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	1.1.1a

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
A1	See actions 1, 2 and 3 in main text	30/06/2023

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 Plant Maintenance

On the 24th January 2023, Natural Resources Wales received an incident report for noise. A schedule 5 notification was also received from the operator on the 24th January.

The schedule 5 stated that an air solenoid had failed causing a hissing noise. The solenoid was replaced immediately. Work orders which were provided for review on the 25th January 2023 showed that seven solenoid valves were found to be leaking. Of the seven, 1 was replaced and the other 6 were resealed rectifying all of the leaks.

Details of the maintenance contract and maintenance reports were submitted to Natural Resources Wales for review.

The information submitted to Natural Resources Wales demonstrates that the ammonia plant is being maintained as per the proposed maintenance schedule. However, records demonstrate that ammonia leaks occurred on the 24th March 2022 and on the 13th October 2022.

Action 1: Submit further information regarding ammonia leaks on the 24th March 2022 and the 13th October 2022, including when they were observed by the site and an indication of how much ammonia was lost in each case. The data must be submitted to Natural Resources Wales by the 10th March 2023.

Odour Complaint 14th February 2023

An odour complaint was received on the 14th February 2023 which described a very strong offal odour from the site. An officer from natural Resources Wales visited the area on the morning of the 15th February 2023, but did not substantiate an odour. A site investigation as undertaken with the findings shown below.

"This trailer was moved from its original parking space in the middle of the back yard and put in this position at 08:00 on the 09th Feb. The trailer should never have been parked there as it's a security risk for the site and the transport dept have been informed that no trailers are to be parked anywhere near the boundary fence. I have reviewed the CCTV from 09th Feb to Tuesday 14th Feb up until the time of the complaint, and at no time did any offal's get tipped into the trailer while it was in this position. The shunter driver who parked the trailer was spoken to, he said that at the time there was no smell. Both Flt drivers were spoken to and both have said they didn't know anything about it.

The middle of the back yard is not covered by CCTV. I know that the cameras are to be reviewed at some stage in Phase 2.



On the back of all this we have taken the following action.

- *Shunter drivers have been told not to park any Vehicles/ Trailers within 20mtrs of a boundary fence.*
- *Yard FLT drivers have been warned that at no time are offal's to be tipped into trailers anywhere other than the offal bays, unless instructed by a manager due to unforeseen incidents, otherwise disciplinary action will be taken with them.*

The trailer was removed from site on the morning of Wednesday 15th Feb."

The operator has confirmed that the trailer was partially filled with waste. The investigation indicates that site management procedures are not being followed or are inadequate to reduce the likelihood of permit breaches and effect on the environment.

Action 2: Ongoing action to review site environmental management system and provide training by the **30th June 2023**.

A category 3 score has been applied against permit condition 1.1.1a under C2 Management system and operating procedures.

Actions Arising from Regulation 36 Notice

The actions shown below have been taken from the regulation 36 notice which was issued on the 31st January.

These actions were due on the 10th February 2023. Information to demonstrate compliance was received from the operator on the 10th February 2023 in line with requirements of the notice.

NRW Action List

List Number	Action	Due Date	Who	Completed	Comments
	1.1.1a - A further inspection test of the outsides of both the primary & divert tanks by a qualified engineer will be commissioned – we are in the process of organising the necessary inspectors and we will submit an expected testing date and copy of the engineer's report to NRW in due course.	10/02/2023	SH	Y	See attached Report
	1.1.1a - External engineers have been requested to service and check the interlocks are functioning correctly. Report to be sent to NRW	10/02/2023	SH	Y	See attached Report
	1.1.1a - A back up level probe / device will be added for additional confirmation / check by the WWTP operatives. This will be added by 20th Jan 2023. Report to be sent to NRW	10/02/2023	SH	Y	See attached Pictures

Further inspection of Test of Both the Primary and Divert Tanks.

An engineer's report satisfies the requirement to have both tanks inspected. Remedial actions stated by the inspecting engineer for the balance tank are show below.

“Remedial Actions Required

The balance tank appears in a generally good state of repair up to 60% capacity, but the top 40% requires remedial action to repair the perforations and install a suitable lining to prevent further corrosion. There is no need to replace the tanks.

As a minimum I would recommend that the top 2 panel rings are repaired and lined, but it may be prudent to undertake a full relining of the entire tank whilst the opportunity is available. This way the asset is fully protected for the next 10 – 20 years (depending on which lining material is selected).

Repair and relining works of heavily perforated tanks such as this are common and examples of how this is undertaken can be seen in more detail by following the links below. We have carried out these type of repair and relining jobs extensively across the UK, especially within the water and anaerobic digestion industry.”

Action 3: In order to provide sufficient free-board capacity the maximum volume of the balance tank must be

limited to 50 % with immediate effect.

Service and Checking of Interlocks

An engineer's report has been submitted which shows that the interlocks have been inspected, serviced and are working correctly. No further issues have been identified.

Back Up Level Probes

Back up level probes have been installed as evidenced by photograph. No issues have been identified.

Actions not covered by Regulation 36 Notice.

The operator informed Natural Resources Wales that a new MCERTS rated continuous pH probe had been installed on the 15th February 2023 as required by CAR_NRW0040800. No issues have been identified.

Kind Regards

Phil Harper

Senior Industry and Waste Regulation Officer NE

03000 65 3717/ 07890025506

philip.harper@cyfoethnaturiolcymru.gov.uk

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.