

Compliance Assessment Report CAR_NRW0041556

Permit being assessed: AB3492ZQ.

For: Wrexham Mill, held by Lloyds Animal Feeds (Western) Ltd

At: Bridge Rd North, Wrexham Ind Est, Wrexham, Wrexham CBC, LL13 3PS.

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

On 15/03/2023 between 10:30 and 11:55.

Parts of permit assessed: various

NRW Lead Officer: Rebecca Harwood, accompanied by Philip Harper.

Report sent to: Kevin Bright, Quality Assurance Manager on 03/04/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B4 - Infrastructure - Containment of stored materials	Action only (X)	
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
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	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
B3	see text below	30/09/2023
B4	see text below	30/04/2023
C2	see text below	30/04/2023

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.

At this time, we do not intend to take any further action.

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

This Compliance Assessment Report follows a routine inspection of the site undertaken on 15 March 2023.

The Quality Assurance Manager and Operations Manager were on site for the duration of the visit.

At the time of the visit an articulated vehicle was observed delivering product to the Mill Building. A new intake mill is being constructed that will increase the productivity at the site. As part of the project, site paving will be replaced and improved. Overall the site is in good condition, but some areas for improvement have been noted below.

Infrastructure

Some areas of the concrete hard standing to the rear of the site were significantly damaged and concerns were raised by NRW officers regarding off site surface and groundwater pollution if there was to be an incident. Some areas had been temporarily repaired with stone. The Operations Manager confirmed that this area was to be re-concreted as part of the mill intake works and these damaged areas would be repaired as part of this.

A crane linked to this work was leaking what appeared to be hydraulic fluid, this was raised with site staff at the time and a spill kit was to be deployed.

Advice and Guidance: Ensure regular checks are made to plant and equipment, including external contractors plant and machinery, in order that any spills are addressed immediately.

As significant works are ongoing, consideration should be given to the drainage layout of the site and additional kerbing around the washdown area installed to ensure that contaminated water does not drain off site into local water courses. Further inspections of the hardstanding area will be undertaken during future visits.

The Site Manager stated that a SuDS report had been undertaken as part of the planning requirements that included an inspection of the drains.

Action: Forward SuDS report to NRW.

Inside the building there is a complex network of covered conveyor belts linking the various silos. These appeared to be well maintained and working correctly during the visit.

Containment

The draw off pipe from the soya oil tank is outside of the bunded area. There is a risk of spillage from this pipe so it should either be within the bunded area or separate containment installed. (CIRIA C736 provides further guidance).

An unbunded IBC of diesel was observed in the micro doser area of the building. It was balanced on a number of wooden pallets. The Operator stated that diesel was being used

as fuel for temporary heaters to avoid the dosing machinery freezing in the recent cold weather. The diesel IBC should not have been stored in this way and staff were advised to move it immediately.

A number of other unbunded IBCs were also observed inside the building, these IBCs did not have any secondary containment. A discussion was held as to whether these needed to have secondary containment as any liquid spilt within the building would not be able to escape.

Advice and Guidance: Following discussions with NRW colleagues separate guidance will be sent to the Operator, however it is recommended that any IBCs or liquid containers inside are placed on drip trays as a minimum.

Following the observations above it appears that checks were not being undertaken in relation to operations, plant and machinery, and any issues identified were potentially not been acted on in a timely manner. **This has been scored a category 3 breach of Condition 1.1.1 (C2 - Management system and operating procedures).**

Action: Ensure daily checks and procedures reflect all environmental requirements at the site and that all staff are aware and trained in these procedures.

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.