

Compliance Assessment Report CAR_NRW0041783

Permit being assessed: SP3430RL.

For: Llangefni prepared meats, held by 2 Sisters Food Group Limited

At: Llangefni Prepared Meats Industrial Estate Road , LLANGEFNI, Gwynedd, LL77 7UX.

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

On 26/04/2023 between 10:45 and 14:00.

Parts of permit assessed: 1.3, 2.3

NRW Lead Officer: Anthony Roberts.

Report sent to: Aydn Loffman, Group Environment Manager on 03/05/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.3 Overarching Management
B1 - Infrastructure - Engineering for prevention and control of emissions	C3 Minor	2.3 Management and Maintenance

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

Total number of non-compliances recorded	Total non-compliance score
2	8

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
C2	Clean oil storage unit of accumulated oil and remove associated cans stored on hardstanding	Already completed
B1	Remove oil contaminated absorbent, clean down affected area and re-seal/clean pipe-work	Already completed

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

2 SISTERS SITE CLOSURE AND PERMIT SURRENDER MEETING AND SITE INSPECTION

Present:

SLR: Paul Wright, Lisa Brookes.

NRW: Tony Roberts.

2 Sisters: Aydn Loffman, Simon Muirhead.

A site meeting was convened between the abovementioned parties to agree the process for site de-commissioning and surrender. This was followed by a site inspection.

Site Inspection

During the site inspection the following issues were noted for immediate action:

1. The oil storage unit was open and partially full, with several containers thrown into and floating on the oil. This is unacceptable management practice which may lead to a pollution event and has been scored a CCS 3. See Photo 1 below:



Oil Storage Following Clean Up - Photo 2



2. An oil-soaked absorbent was left on the concrete apron close to the surface water drainage areas. This must be removed immediately, and the area cleaned down. The pipe ending has been opened and left without re-closure. This will be scored a CCS 3. See Photo 3 below:



Concrete Apron and Pipe Following Clean up - Photo 4



Permit Surrender and Decommissioning Meeting

Permit owners and transfer

It is not intended to transfer the permit as the landholder does not want this to happen. Aydn Loffman to discuss permitting options with the business and report back to NRW and SLR.

Ariel/Boparan group is a family-owned group. The private office of the group will leave 2 staff members of 2 sisters to supervise the de-commissioning work. These must be technically competent to ensure permit compliance during the de-commissioning and de-pollution process.

If there is any indication that there are buyers interested in the site with the permit then they must clarify this as soon as possible.

Surrender/Baseline Report/Site Condition Report

A Surrender process is more complex than a transfer, but all permit conditions will still have to be met until the surrender is complete. Following discussion with owners the surrender option is most likely. Aydn to report back to NRW and SLR and confirm surrender is the agreed way forward.

2 Sisters have accepted that there are delays inherent in the system due to the backlog of permitting applications before surrender would be assessed by NRW. Therefore, the process is likely to take longer than 2 months.

SLR Consultants to complete the Site Condition Report and application to surrender as soon as possible (this may take longer than anticipated depending of ground pollution investigations) and application for surrender then it will be in the permitting queue following application to NRW. The corollary to this is if there are monitoring and anti-pollution works required on the site, as this information may be vital to accepting surrender of the permit.

Boreholes and GW analysis

This will be necessary to ensure the GW and ground conditions are not and have not been contaminated by the processes undertaken on the site. This should take the form of upgradient and downgradient boreholes intercepting groundwater at the appropriate depth.

Boreholes may be required within the site boundaries where there is evidence of spillage and polluted ground.

Where 2 or more aquifers/geologies underlie the site then boreholes should represent these strata.

The surrender process will be dependent on the results of the contamination survey

The Hydrogeological team for SLR will attend site with NRW to determine what will be required to complete the assessment for the SCR/Baseline Report.

Further Requirements

The IED and RGN 9/NRW permitting requirements ask for a risk-based approach with a conceptual model to be submitted as part of the surrender process. This must form part of the final SCR document to be submitted with the application to surrender. Where possible measurements not modelling should inform the actions.

The ammonia drainage system and contamination from previous leaks to groundwater must be assessed for future pollution risks.

There are heavy fuel boilers on site the site pollution assessment should include the integrity of the containment system

Transformers are regularly maintained with PCB free oil, however there are several transformers on site and some show evidence of hydrocarbon loss in stones surrounding these areas. Site must ensure that there is no historic PCB contamination. Please clarify what was used before PCB free oils.

Operator must ensure that all aspects required by the IED and NRW permitting guidance are covered in the application or it may not be duly made.

Judging from photographic and other evidence gathered for the for the original PPC permit application submitted by ENTEC, the site was a greenfield site before the holdings were built. It is a fair working assumption therefore that any accumulated pollution of this land is from the 2 Sisters

and previous operational named entities.

The IED guidance for a baseline report, including prior to surrender, requires an inventory list of hazardous substances to be created which informs the investigation of any soil and groundwater pollution.

COSHH assessments could be used for help with inventory purposes.

Decommissioning Plan

The structured decommissioning plan should be submitted to NRW and adhered to ensure permit conditions are complied with during the decommissioning process.

The de-commissioning phase can represent a higher risk of a pollution incident occurring as the site has only a skeleton staff and there is extensive movement of chemicals and other potentially hazardous activities. The site must ensure that technical competence is maintained, and permit conditions adhered to until the surrender process is complete.

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.