

Compliance Assessment Report CAR_NRW0041791

Permit being assessed: VP3235HS.

For: Farmers Boy (Deeside) Ltd, held by Farmers Boy (Deeside) Ltd

At: Unit 105/106 Tenth Avenue , Deeside Industrial Park, DEESIDE, Clwyd, CH5 2UA.

Type of assessment carried out: Audit, Reason: Routine.

On 27/04/2023 between 10:00 and 15:20.

Parts of permit assessed: See report

NRW Lead Officer: Lara Cubley.

Report sent to: Greg Lewandowski, Services Manager on 17/05/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Action only (X)	
B5 - Infrastructure - Plant and equipment	Action only (X)	
D2 - Incident Management - Accidents, emergency and incident planning	Assessed (A)	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	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
C2	See Actions 1, 2, and 5.	16/06/2023
G2	See Action 3	30/11/2023
B5	see action 4	16/06/2023

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

1) Introduction

Natural Resources Wales (NRW) conducted an inspection of the Deeside Meats installation on the 27th April 2023 covering the following agenda items:

- Permit requirements since recently issued variation (Monitoring requirements and Improvement Conditions)
- Site Walkover & Chemical Storage
- Ammonia & refrigerants

The operator provided some documentation related to the installation's ammonia refrigeration system prior to the inspection.

2) Permit Requirements

The recent variation to add three emission points has now been issued. The operator is aware of the monitoring requirements in the permit with no issues reported.

Improvement Condition (IC) 9 has already been completed but ICs 7 & 8 are due in June 2023. The operator reports no problems with complying with these dates but has requested whether any additional guidance on interpretation and expectations on the level of information. The NRW cluster have been developing this and we will feed back to site.

3) Site Walkover & Chemical Storage

A site walkover around external areas of the building was conducted. It was noted that the chemical storage containers, one of which had a leak at the previous inspection, had been relocated from yard C to Yard B. This area is served by an ACO style drainage channels which lead to the effluent treatment plant. The floor and containment section of the

chemical store which had been corroded and caused a previous leak had been replaced with stainless steel.

ADVICE & GUIDANCE: Keep a close eye on other sections of storage for corrosion/leakage as part of inspection programme and consider taking preventative action. For example, treating with corrosion resistant treatments.

The chemical storage containers were closed and locked with key control.

There was also a manhole in this area which drains directly to mains sewer. This was covered with rubber matting.

ADVICE & GUIDANCE: The operator should ensure staff are aware of the rubber matting and its purpose so that it remains in place as a pollution prevention measure. A more permanent solution could be considered.

A waste trailer containing Category 3 animal by-products was situated in this same area of drainage containment close to the chemical storage containers on Yard B. It was noted that there were a couple of seagulls flying around this waste trailer trying to land. This container was not covered. The Services Manager explained that the trailer sheeting system is powered by a battery pack which is currently broken.

NRW is of the opinion that this is a breach of permit condition 1.1.1 (C1/2 – Management Systems/Competence & Training – C3 Minor). Such waste storage containers should be enclosed to prevent vermin. Any equipment used to cover the waste should be maintained in good working order and captured as part of the management system.

ACTION 1: Reinstate covering of the waste without delay.

ACTION 2: Review the provisions for covering this waste and ensure that any mechanisms used are maintained, staff trained, with contingency. Provide a summary of the review in writing to NRW by 16/06/23.

ADVICE & GUIDANCE: The Operator may benefit from reviewing the battery power pack system for a more permanent solution which would save staff time and is open to abuse or human error.

4) Ammonia & refrigerants

The installation benefits from an ammonia refrigeration system with a charge of 3,000kg. This was initially installed in 2011. The operator employs a contractor to inspect and maintain both this system and other production based F-gas refrigeration systems. The contractor has a presence on site 4 days per week.

System drawings of the ammonia refrigeration system are in place and a schematic is displayed outside the ammonia plant room. Labelling is in place as expected. Risk assessments and emergency procedures are in place and a written scheme of examination was available. Improvements required by a previous periodic inspection were completed by a contractor in 2020. This involved extending the Pressure Relief Vent (PRV) and fitting

it with a yellow Atmospheres Explosibles (ATEX) rated cap and detector.

Emergency and evacuation procedures are covered at induction for all employees. Access to the ammonia plant room is restricted and there are procedures in place. The Services Manager and a number of other members of staff have reportedly had ammonia awareness training some time ago, however, no documentation/certification could be provided.

Action 3: Refresher training should be provided, and certificates retained. See Section 4.1 of your permit pertaining to records.

Certification of the contractors working on the site refrigeration plant was available and demonstrated that they had the required qualifications.

The emergency procedure involves a two-tier system with the first level triggering investigation, and the second level evacuation. Alarm beacons are displayed at various places around the site signified by a blue beacon to distinguish from fire. Door access to an external gantry walkway off the evacuation staircase has visible alarm beacons. This external gantry walkway has several ammonia valve stations with detection.

Emergency procedures involve the security staff with evaluation of wind direction by wind sock. It was noted that the wind sock on Yard B wasn't so visible from the security hut due to tree growth. However, an alternative wind sock could be seen from this point off-site.

ADVICE & GUIDANCE: Consider increasing visibility of on-site wind sock.

Beacons and alarms are tested weekly with 3 rehearsed site evacuations performed every year to cover all shifts.

All required preventative maintenance inspections and tasks for the years are available in a folder. Despite records demonstrating good adherence to the preventative maintenance and inspection programme, it was noted that the weekly inspections stated 'PRV sensor inhibited' against the 'detection' section of the checklist since 01/02/23. The most recent weekly report dated 17/04/23 also had this same comment.

The operator provided a contractor's service report confirming calibration of all ammonia monitoring sensors having been conducted on 08/02/23. However, it noted that the pressure relief valve (PRV) sensor couldn't be calibrated because it was inhibited.

Following the inspection the operator reported that this PRV sensor had been replaced on the 04/05/23.

ACTION 4: The operator should provide NRW with the new PRV ammonia detector calibration/service report by 16/05/23.

ADVICE & GUIDANCE: It is recommended that the operator reviews communications with their contractor to ensure and issues related to faulty equipment are picked up promptly.

An audit sample of maintenance of other refrigeration systems containing F-gas was undertaken by NRW. The 'clover pack for blast chillers 1 & 2' containing R448a was reviewed as it contains the greatest charge of CO2 equivalent tonnage. This appears to be leak tested on a 6 monthly basis as required by the regulations with the last test record

from January 2023.

The 'chiller ham 4 cured' containing R404f also showed leak testing on a 6 monthly interval.

No service or leak testing documentation was available for a smaller unit known as the 'development kitchen chiller' containing a charge of R404a with 10 tonne CO2 equivalent. This would require an annual leak test as required by the F-gas regulations.

NRW is of the opinion that this is a breach of permit condition 1.1.1 (C1/2 – Management Systems/Competence & Training – C3 Minor consolidated with above). Activities should be managed in accordance with a management system which identifies and minimise risks of pollution.

ACTION 5: The Operator should review their Environmental Management System and its implementation to ensure compliance with F-gas regulations. Provide a summary of the review together with any actions to NRW in writing by 16/06/23.

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.