

Compliance Assessment Report CAR_NRW0042903

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: Site Inspection,

Reason: Routine.

On: 29/11/2023 between 09:20 and 11:40.

Parts of permit assessed: various.

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

Report sent to: Steven Van Der Keift , HS&E Manager, on 11/12/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2A - Operations - Permitted activities	Action only (X)	
IR1A - Management - General management	C3 Minor	1.1.1
IR3C - Emissions and monitoring - Odour	Action only (X)	
IR3D - Emissions and monitoring - Noise and vibration	Assessed (A)	
IR3F - Emissions and monitoring - Pests	Assessed (A)	

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

Total 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
IR2A	see Action 1 below	05/01/2024
IR1A	see Action 2 below	22/12/2023
IR3C	see Action 2 below	22/12/2023

Compliance 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

This Compliance Assessment Report follows an announced site inspection undertaken on 29 November 2023. The Engineering Manager accompanied officers around site.

NRW officers initially met with officers from Flintshire County Council and Dwr Cymru Welsh Water (DCWW) to review the Operator's trade effluent discharge that is consented by DCWW.

The recent results from the DCWW trade effluent samples indicate that there have been instances where the discharge has exceeded its consented levels in relation to sulphide, suspended solids and fats, oils and grease. Through discussion with the Operator, NRW has established that ferric sulphate has been used in place of ferric chloride as a flocculating agent within the site's effluent treatment process since February 2023 due to supply issues. Having reviewed the supply issue, the Operator has confirmed that as of the 4th December 2023 they have reverted back to the use of ferric chloride. It is not known at this stage whether this will impact on the recent elevated levels of sulphide seen in the discharge.

DCWW have asked 2 Sisters to install an auto sampler into the output flume of the DAF plant.

DCWW are undertaking further monitoring and analysis relating to their assets adjacent to the 2 Sisters factory in relation to the recent odour issues being experienced in the area.

The Operator has also been advised by DCWW to replace the existing steel covers over the effluent discharge with GRP covers.

Following the visit NRW Officers then undertook a routine inspection of the site.

CAR NRW0042362 allowed for a time extension for the continued use of the inflatable building which houses the carcass trailer, until the end of December 2023 to allow for the completion of the loading bay building. The frame has been erected and the Operator anticipated the building being completed before Christmas. Once the new building is in operation the inflatable building will be removed.

Action 1: Update NRW when the loading bay construction has been completed and the building is in use. Provide a timescale for the removal of the interim inflatable building by 05/01/2024.

Although there were gulls on site in this area, there was no evidence of carcasses on the ground and the transfer of the carcass dolavs to the carcass trailer was fully enclosed at the time of the visit.

The Engineering Manager stated that work had been undertaken to improve the efficiency of the offal press resulting in less trailer movements off site. It was noted that there was pooling liquid under the offal trailer and that the trailer drain valves had been left open allowing the liquid to drain on to the ground. Although this area is bunded, the liquid could cause an offsite odour issue. In addition the procedure linked to this operation states that these valves should remain closed unless there is a breakdown or the dewatering system cannot cope. **This has been scored a Category 3 breach of Condition 1.1.1 General Management.**

Action 2: Demonstrate that all relevant personnel have been trained in the updated procedure to ensure that spillages do not occur. Provide an update to NRW by 22/12/2023.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.