

Compliance Assessment Report CAR_NRW0043560

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: Site Inspection,

Reason: Routine.

On: 12/02/2024 between 11:00 and 11:50.

Parts of permit assessed: See Below.

NRW Lead Officer: Philip Harper, accompanied by Kathryn Bradshaw.

Report sent to: James Colley, General Manager, on 01/03/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	Ongoing (O)	1.1.1(a)
IR2C - Operations - Operating techniques	C3 Minor	2.3.1(a)
IR1A - Management - General management	Ongoing (O)	1.1.1(a)
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.1.2

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

Total 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
IR1A	See actions in main text	08/03/2024
IR2C	See actions in main text	08/03/2024
IR1A	See actions in main text	Already completed
IR3A	See action in main text	Already

Criteria	Action needed	Complete by
		completed

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

NOTE: Multiple non-compliances against the management system have been identified within this compliance assessment report. Scores against the management system have been consolidated and provided as a single category score 2 in compliance assessment report CAR_NRW0043296.

At 10:30 on the 25th January 2024 Phil Harper and Kathryn Brashaw, Senior Industry & Waste Regulation Officers visited Maelor Foods Ltd, Pickhill Lane, Cross Lanes, Wrexham, LL13 0UE. This was an unannounced site visit.

This visit was a follow up visit following the site visit on the 17th January 2024 which is discussed in compliance assessment report CAR_NRW0043296.

Turbidity Probe.

A new turbidity probe has been installed at the final effluent weir, however, technical issues had been observed on the morning of the inspection and it was not working.

The operator is reminded that the Emissions Monitoring Plan describes the turbidity as a key data parameter and that 40 days of data will be stored for key parameters. The site currently does not have this utility and is operating in contravention of its management systems.

This is a breach under permit condition 1.1.1(a). A score has been applied in compliance assessment report CAR_NRW0043296.

On permit application, the Emissions Monitoring Plan was adopted as a permitted operating technique. Failure to ensure that turbidity readings are obtained as required by the emissions monitoring plan is a breach of permit condition 2.3.1(a). NRW regards this as a new issue which was not observed prior to the inspection on the 12th February 2024.

A category 3 breach has been applied under permit condition 2.3.1(a) under subheading IR3A Emissions to Air, Water or Land.

Action 1: Confirm that the new turbidity probe is working by the 8th March 2024.

Sludge on Site Structures Around Main Clarifier

Sludge was still visible on the sides of tanks and other structures as noted in previous compliance assessment

reports.

The odour management plan for the site recognises that decaying sludge has the potential to cause an offsite odour. The continued failure to clean up the spill indicates a continued failure by the operator to adhere to the sites odour management plan, which forms part of the environmental management system.

This is a breach under permit condition 1.1.1(a). A score has been applied in compliance assessment report CAR_NRW0043296.

Final Effluent Quality

The pH of the final effluent was observed at 5.90. The permit specifies that the pH of the final effluent should fall between pH 6.00 and pH 9.00 as measured using a continuous MCerts rated probe.

It was noted that despite falling outside the permitted range no alarms were observed on the control interface.

Actions were taken to increase the pH of the final effluent immediately by the operator.

A category 3 breach has been applied under permit condition 3.1.2 under subheading IR3A Emissions to Air, Water or Land.

Action 2: Confirm that the control panel is showing an alarm when the measured effluent parameters fall outside the permitted limit.

Kind Regards

Phil Harper

Senior Industry and Waste Regulation Officer NE

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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.