

Compliance Assessment Report CAR_NRW0043761

Permit being assessed: WP3534GX.

For: Wrexham Convenience Foods, **held by:** Oscar Mayer Limited

At: Ash Road South, Wrexham Industrial Estate, Wrexham, Wrexham, LL13 9UG.

Type of assessment: Audit,

Reason: Routine.

On: 07/02/2024 between 10:00 and 13:30.

Parts of permit assessed: OMA audit air and water.

NRW Lead Officer: Kathryn Bradshaw, accompanied by Jamie Blythin.

Report sent to: Scott Millward, Head of Health, Safety & Environment, on 05/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Installations - Management - General Management	C3 Minor	1.1
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.2
IR4B - Installations - Information - Reporting	Assessed (A)	

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	Calibrations and servicing for the measuring equipment including the flow meter and auto-sampler need to be completed in line with manufacturers recommendations with the relevant schedules highlighted in the maintenance system. Once these have been completed forward the documentation to NRW by 28th June 2024	28/06/2024

Criteria	Action needed	Complete by
IR3E	Ensure a 24-hour flow proportional sample is sent to a UKAS accredited lab for analysis for the parameters detailed in Table S3.3 on a monthly basis and results forwarded to NRW by 31st May 2024.	31/05/2024

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 (CAR) accompanies the Operator Monitoring Assessment (OMA) audit for air and water that was completed after reviewing documentation and a site visit on 7th February 2024.

All air emissions monitoring is carried out by suitably qualified MCERTS accredited external contractor.

The site achieved an overall score of 82% for the OMA audit for air. The following recommendations have been made in order to improve the overall score:

- Update documentation to identify individuals who could deputise and oversee the monitoring if required.
- Record and track results for the annual air monitoring to link in with the process monitoring results for trend analysis.
- Review training requirements for staff that are responsible for arranging and checking that the monitoring contractor meets all of the permit requirements.
- Ensure the Site Specific Protocol (SSP) is reviewed for any deviations or improvements that are advised.

Water emissions to sewer are monitored in house and also sampled and analysed by Dwr Cymru Welsh Water (DCWW) twice a month. The site achieved an overall score of 54% for the OMA audit for water. The following actions are required to comply with permit condition 3.5.1 Table S3.3:

Actions

1. Ensure a 24-hour flow proportional sample is sent to a UKAS accredited lab for analysis for the parameters detailed in Table S3.3 on a monthly basis and results forwarded to NRW by 31st May 2024
2. Ensure a suitable monitoring schedule has been implemented to meet the requirements of Table S3.3 of the permit as per permit condition 3.5.1. Evidence of this to be provided to NRW by 28th June 2024.
3. Once the flow meter is calibrated ensure the auto sampler is correctly configured to ensure a 24-hour flow proportional sample is taken as per Table S3.3. Evidence of this to be provided to NRW by 28th June 2024.
4. Implement training on the permit requirements for all staff responsible for monitoring discharges to water to ensure the permit requirements are understood and fully implemented. Evidence of this to be provided to NRW by 28th June 2024.
5. Calibrations and servicing for the measuring equipment including the flow meter and auto-sampler need to be completed in line with manufacturers recommendations with the relevant schedules highlighted in the maintenance system. Once these have been completed forward the documentation to NRW by 28th June 2024.
6. When the autosampler and flow meter are replaced ensure, they are MCERTS certified as defined in permit condition 3.5.3

Recommendations

- Training records and procedures need to be kept and maintained for all relevant personnel who conduct testing, monitoring and maintenance of the ETP. The Operator has started to draw up training schedules for the Engineering Department, these need to be formalised and included in the Environmental Management System (EMS).
- Review the internal audit programme to include the monitoring requirements of the permit.

Thank you for your time during the audit.

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.