

Compliance Assessment Report CAR_NRW0045379

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: 01/10/2024 between 15:50 and 16:20.

Parts of permit assessed: various.

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

Report sent to: Site Director, Site Director, on 15/10/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3C - Installations - Emissions and monitoring - Odour	C3 Minor	3.3.1
IR4C - Installations - Information - Notification	Action only (X)	
IR1A - Installations - Management - General Management	C3 Minor	1.1.1
IR1A - Installations - Management - General Management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
3	12

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
IR3C	see Actions 1 and 2	05/11/2024
IR4C	see Action 3 below	05/11/2024
IR1A	Actions identified as part of the site investigation report	Already

Criteria	Action needed	Complete by
		completed
IR1A	Actions identified as part of the site investigation report	Already 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.

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

Following an offsite meeting with Dŵr Cymru (DCWW) and Flintshire County Council (FCC), NRW Officers attended site between 15:50 and 16:20 on the 1st October 2024. Officers met with the Engineering Manager.

Whilst on Glendale Avenue between 13:30 and 14:10 NRW Officers detected an offsite odour from the facility. **This has been scored a category 3 breach of Condition 3.3.1 - Odour.**

TES were on site at the time and were cleaning the interceptors. It is unknown whether this was the source of the odour, however, it is possible as when Officers were on site later in the afternoon the odour had reduced.

Action 1: Please provide your procedures for cleaning the interceptors and confirm what controls are in place to minimise offsite odour impacts. This should be provided to NRW by 05/11/2024.

Following an email sent after the visit on the 2nd October 2024 and in order to assist further with reducing odour from the site the external door into the Effluent Treatment Plant building, where Amber store their dolavs, needs repairing or a new door installing. This should be completed as soon as possible.

Action 2: Provide a timetable as to when this work will be completed. An update should be provided to NRW by 05/11/2024.

The Operator has provided their latest Odour Management Plan and this is being reviewed by Officers.

The Operator confirmed that they are still using ferric chloride as a flocculant and dosing the effluent with DIOX prior to discharge. Dosing was occurring at the time of the visit. DCWW are responsible for the Operator's trade effluent discharge and Officers continue to liaise with DCWW to aid with compliance.

Officers were in the vicinity of the facility on the 7th October 2024 and drove to the rear gates of the site. At 11:40 Officers noticed that dolavs of CAT2 waste were being tipped into an open trailer in the rear yard adjacent to the refrigerated trailer. These dolavs appeared to be uncovered in the yard, this could lead to offsite odours and increased bird activity in the vicinity. Officers did not attend site but followed this up at the time with a phone call. This activity was happening because an IBC of polymer had been spilt in the area where the loading activity should be taking place. NRW were unaware of this spillage until they spoke to the Engineering Manager.

The Operator is reminded of Condition 4.3.1 which states:

(a) In the event that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately

- (i) inform Natural Resources Wales*
- (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and*
- (iii) take the measures necessary to prevent further possible incidents or accidents;*

(b) in the event of a breach of any permit condition the operator must immediately—

- (i) inform Natural Resources Wales, and*
- (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;*

(c) in the event of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.

Action 3: Ensure all relevant personnel are aware of the reporting and notification requirements relating to Condition 4.3.1.

Two investigation reports were submitted to NRW the following day, linked to the spillage and the uncovered dolavs.

The Operator identified that around 600l of polymer was released from the IBC and entered the effluent plant. There were no environmental impacts as the spillage was contained and the polymer is used within the effluent treatment plant. The spillage occurred as the IBC was hit by a metal plate being transported by a forklift truck (FLT), the driver did not follow the site's Safe System of Work. **This has been scored a category 3 breach of Condition 1.1.1(a) - General Management.**

The loading of the dolavs into the trailer in the rear yard was as a result of the polymer

spillage as the activity could not be undertaken in the usual location. However, the dolavs should not have been in the yard uncovered and procedures were not followed. The Operator has identified that this loading activity should have been delayed and alternative collection arrangements made. **This has been scored a category 3 breach of Condition 1.1.1(a) - General Management.**

The Operator has identified actions required as part of their investigations, including retraining the FLT driver, improved supervision and improved communications between 2 Sisters engineering team and Amber staff. These actions will be revisited by NRW should further incidents arise.

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.