

Compliance Assessment Report CAR_NRW0045641

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: 13/11/2024 between 10:05 and 13:00.

Parts of permit assessed: various.

NRW Lead Officer: Rebecca Harwood, accompanied by Paul Challender.

Report sent to: Site Director, Site Director, on 26/11/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.1.1
IR3F - Installations - Emissions and monitoring - Pests	C3 Minor	3.6.1
IR3C - Installations - Emissions and monitoring - Odour	Action only (X)	
IR1A - Installations - Management - General Management	C2 Significant	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	39

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
IR3B	see text below	05/12/2024
IR3F	see text below	05/12/2024

Criteria	Action needed	Complete by
IR3C	see text below	05/12/2024
IR1A	see text below	15/01/2025

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

This Compliance Assessment Report (CAR) follows an announced inspection of the 2 Sisters site in Sandycroft on the 13th November 2024 between 10:05 and 13:00.

Officers met with the Engineering Manager, Environment Manager and Health & Safety Manager.

Site Visit 13/11/2024

Drainage

The Operator had previously submitted a drainage diagram to NRW. Officers wished to review this with the Engineering Manager. On arrival at site it was noted that there was a large amount of foam being used in the rear yard area. Officers observed washdown water entering the surface water drainage system through unsealed manhole S1A. The manhole could not be opened but it was clear that water was draining into it. See Photos P1 and P2.

There was also a trailer situated close to S1A and it appeared that it had recently been washed out. The issue of trailers being washed out in this area was raised on CAR NRW0045222. There was also evidence of foam on unmade ground beyond the kerbing and off site in the adjacent yard. See Photo P3.

The washdown liquid is not being contained within the ETP drainage footprint. NRW have informed Dŵr Cymru that untreated washdown water has entered their network.

NRW have raised concerns relating to containment previously, not only in the rear yard but adjacent to the carcass shed.

This has been scored a category 3 breach of condition 3.1.1 against compliance criteria IR3B Emissions of substances not controlled by emission limits, as a result of washdown water entering the surface water drains.

The management breaches associated with the lack of containment are discussed at the end of this CAR.

Action 1: S1A and other surface water points to be sealed. An immediate short term solution using mats (or similar) should be implemented whilst permanent repairs are programmed. The Operator should inform NRW of the remediation proposal and timescales by 05/12/2024.

Action 2: Kerbing in the rear yard area requires remedial works to ensure washdown water is not escaping the site. Other kerbing around site should be reviewed and works completed as deemed necessary. The Operator should provide NRW with a timetable of works and an update provided by 05/12/2024.

Action 3: Trailer washing is not to be carried out in this area until the manholes are properly sealed and the kerbing repaired to a satisfactory standard. This action should be implemented immediately.

NRW conducted an unannounced follow up visit during the afternoon of the 15th November 2024. Preparatory work had been undertaken in relation to the resealing of surface water manhole S1A. There was still a trailer parked in this area and evidence of washdown foam. As a result the CCTV was viewed and there was evidence of some washing down in this area using dolavs of water. NRW spoke with the Site Front Line Manager & By-Products Manager who confirmed that there was not a spillage and they were trying to remove excess foam. NRW reminded the Operator that no washing down should be undertaken in this area until the surface water drainage system is sealed.

There remain errors relating to the drainage drawing that need to be addressed.

Action 4: Drainage drawing to be reviewed and updated to include all points on the ground. All manholes/gully covers to be repainted to identify them. This should be completed by 15/01/2025.

As part of the permit variation issued in June 2023 the Operator's consultant, SLR, submitted a Best Available Techniques and Operating Techniques document. Within this document it states "*SLR have undertaken an assessment of containment at the Sandycroft site. The findings of this review are being consolidated. 2SFG are aiming to review the containment assessment in 2023 and will put an improvement plan in place where this is considered to be required.*"

Action 5: Provide NRW with a copy of this report and advise what works, if any, have been completed. This should be provided by 05/12/2024.

Further non compliances may apply following a review of this information.

Offal gantry / trailers

Officers noticed increased gull activity in the offal trailer area. Gulls were observed under the netting and were seen scavenging under and on the viscera trailer. On further inspection it was observed that the drainage 'catch pits' used to dewater the liquid from the trailer were overflowing resulting in viscera and blood draining onto the ground below the trailer. The Operator stated that 'catch pits' were being used as the trailers all had different

sized drainage valves so the hose could not be connected directly. The procedure states that pipes are to be connected directly to the trailers. The pipes linking the catch pit to the drain were also crushed and required repair. See Photos P4 - P7.

This has been scored a category 3 breach of condition 3.6.1 against compliance criteria IR3F Pests as gulls were seen removing viscera from the trailer area.

The Engineering Manager closed the trailer drain valves at the time of the visit. The issue of trailer drain valves not being connected correctly and procedures not being followed has been identified previously in CARs NRW0045222 (18/09/2024) and NRW0042903 (29/11/2023) and been subject to non-compliance scores.

The management breaches associated with procedures not being followed are discussed at the end of this CAR.

Action 6: Ensure hoses are either attached directly to the trailer drain valves or catch pits are correctly in situ. Replace crushed hoses. This should be undertaken immediately.

NRW conducted an unannounced follow up visit during the afternoon of the 15th November 2024. The offal trailer area was free from debris at this time.

Action 7: Review relevant procedures to reflect the operation and ensure relevant staff are trained. Provide an update to NRW by 05/12/2024.

Odour

Odour complaint

An odour report was received on the 3rd November 2024 (ref 2414128). The investigation report from the time did not identify any issues. However, as part of the investigation the Environment Manager identified that a CAT 3 trailer was switched over at 15:05 on 03/11/2024 but was not removed from site until the following afternoon. It is likely that this trailer was the cause of the odour complaint.

Action 8: Provide NRW with a copy of the weighbridge ticket for the CAT 2 trailer that was changed over at 14:30 03/11/2024 and the weighbridge ticket for the CAT 3 trailer that was changed over at 15:05 03/11/2024 to demonstrate when the trailers left site by 05/12/2024.

Action 9: The time trailers leave site should be added to the investigation paperwork as well as the time the trailers are changed over. This action should be implemented immediately.

The Operator's Accident Management Plan states that to avoid air pollution as a result of *"Cat 2 and Cat 3 not being removed from site and becoming putrid"* actions are in place to minimise this and states *"the area is manned whilst ABPs are on site. Timely removal of ABPs from site."* The Odour Management Plan states that *"Offal, feathers and viscera trailers are removed from site once a day."*

The fact that this trailer was on site and had not been removed from site was not picked up

by the daily checks or by any other staff the following morning. As such, from the information provided, the trailer was on site for 24 hours before being removed.

The management breaches associated with trailers being left on site longer than necessary are discussed at the end of this CAR.

Odour Management Plan (OMP) Review

Following the onsite inspection a discussion was held in relation to the OMP. Some general observations were discussed in relation to the document and how it and the procedures it referenced did not necessarily align.

Action 10: OMP / relevant procedures to be reviewed to ensure they align with each other and reflect the actual activities on site. Any group derived procedures should be tailored to the site. An update should be provided to NRW by 15/01/2025.

A further review of the OMP will be undertaken by NRW.

Scrubber units

Officers discussed and then reviewed both the wet chemical scrubber and sludge scrubber unit emission points.

Action 11: The latest maintenance / service records along with inspection and maintenance programme for both the wet chemical scrubber and the sludge scrubber to be forwarded to NRW by 05/12/2024.

Action 12: Repair the leak from the sodium hypochlorite feed tube in the chemical dosing unit used for odour abatement asap.

As part of the permit variation issued in June 2023 the Operator's consultant, SLR, submitted an Odour Monitoring Report and a Best Available Techniques and Operating Techniques document. Within both these documents, and specifically in relation to odour, it is stated that the Operator is liaising with a subcontractor to incorporate annual monitoring into their servicing contract. It is unclear whether the additional monitoring has been adopted or undertaken in 2024.

Action 13: Operator to confirm whether any odour monitoring, as recommended in the SLR reports submitted as part of the permit variation, at the wet chemical scrubber and sludge scrubber, has been completed. Provide an update to NRW by 05/12/2024.

Furthermore, the Odour Monitoring Report identified remedial actions to increase air extraction from the Effluent Collection Sump, Blood Tank and Viscera Screen and to refurbish or replace the Sludge Scrubber OCU.

Action 14: Provide an update to NRW regarding progress made against the remedial actions and recommendations by 05/12/2024.

Further non compliances may apply following a review of this information.

General Management

The permit for the operation of the poultry processing plant is held by 2 Sisters Food Group (2SFG). The Operator has stated that Amber Foods Ltd (another subsidiary of Boparan Holdings Ltd) are responsible for the removal of waste off site and the scheduling of trailer movements, therefore this area of site management falls under their remit. It is irrelevant who is responsible for what activity at the facility and both 2SFG and Amber Foods Ltd should be following the sites EMS and operating procedures. The relationship between 2SFG and Amber Foods remains unclear.

Action 15: Site structure chart, including both 2SFG and Amber Foods staff, to be provided to NRW by 05/12/2024.

Condition 2.1.1 states *The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”)*

Table S1.1 activities

Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
AR1	Section 6.8 Part A(1)(b)	Slaughtering chickens at a plant with a carcass production capacity of more than 50 tonnes per day	From receipt of live birds, slaughter and primary processing. Activity to take place 6 days per week. Average of 134,000 birds, received and processed per operational day.

During the course of the visit it was identified and confirmed that the site is currently slaughtering birds 7 days a week, the permit, as indicated above, limits this activity to 6 days a week.

The Operator also stated that the number of birds currently being slaughtered is on average 1 million a week. The above limits the total number of birds slaughtered to an average of 804,000 a week (approximately 41.8m a year).

Action 16: Submit your weekly kill numbers to NRW, covering the period January to November 2024, by 05/12/2014.

Further non compliances may apply following a review of this information.

The management breaches associated with the exceedance of permitted activities are discussed below.

Condition 1.1.1 states:

The operator shall manage and operate the activities:

(a) *in accordance with a written management system that identifies and minimises*

risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and

(b) using sufficient competent persons and resources.

It appears to Officers that the root cause of the issues identified within this CAR relate to the overall management of the site. The written management system that identifies and minimises risks of pollution is not being followed and is deficient in some areas. The Operator is not using sufficiently competent persons and resources to manage the activities at the site. A number of category 3 breaches have been identified previously and within this CAR, therefore **a category 2 breach of condition 1.1.1 against compliance criteria (IR1A) General Management has been applied.**

NRW are considering their enforcement response.

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.