

Compliance Assessment Report CAR_NRW0049978

Permit being assessed: UP3237CP.

For: Solway Foods Limited, **held by:** Solway Foods Limited

At: RF Brookes, Azalea Road, Rogerstone, Newport, Newport, NP10 9SA.

Type of assessment: Site Inspection,

Reason: Routine.

On: 04/11/2025 between 10:30 and 12:52.

Parts of permit assessed: 2.3.1 (a) Operating Techniques & 3.3 Odour.

NRW Lead Officer: Neil Griffiths, accompanied by Ian James.

Report sent to: REDACTED, Divisional Environment Manager , on 04/12/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2C - Installations - Operations - Operating techniques	C3 Minor	2.3.1 (a)
IR3C - Installations - Emissions and monitoring - Odour	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
IR2C	Repair or replace the broken thermal oxidiser odour plant in line with BAT	31/03/2026

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.

At this time, we do not intend to take any further action.

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

A breach has been recorded under condition 2.3.1 (a). This is because odour management at the site is not currently in line with BAT. Please see below for more context and details.

Prior to this site visit, Cerys Brown-Keech (C B-K) had notified Ian James (IJ) that the factory's Odour Plant 1, site emission point A1 had stopped working and was unable to be repaired. Odour plant 1 is a thermal oxidiser. Odour plant 2, emission point A6 has not been in use since 2022. Odour plant 2 is also a thermal oxidiser. The thermal oxidisers had been used to prevent or reduce odour emissions in line with BAT.

The use of thermal oxidiser odour plant was explained in the site's response to a regulation 61(1) Notice – request for information dated 28/04/2020 detailing how the Operator will comply with the BAT conclusions for the Food, Drink and Milk Industries, under Directive 2010/75/EU of the European Parliament and of the Council. See table S1.2 in the site permit.

Neil Griffiths (NG) and IJ met with C B-K at 1030 at the factory and had a meeting in the factory conference room. C B-K explained that there were several, smaller odour abatement units in use in some areas of the factory but not all areas of the factory. The odour units currently in use are 'Limco' UV-C ozone units. C B-K advised us that the lead time for installing a new odour plant to replace the broken thermal oxidiser odour plant was three months.

C B-K also explained that she had been carrying out regular odour checks by walking around the site. This was good to hear, please continue to do this. C B-K also explained that she had been unable to find a site odour management plan in the site's records, despite knowing that one had been written. NG agreed to search NRW records to try and find a copy so that it could be shared with C B-K. An odour management plan (version 2.0) that was prepared for Solway Foods Ltd. by consultant, Alica Thomas in August 2017 was emailed to CB-K on 4th December 2025.

C B-K escorted IJ and NG around the outdoor areas of the site. No strong odours were detected during the site walkover. It was quite cold and raining very heavily during the site walkover. It is likely that this may have been reducing odour on site. It is possible that odour will increase during drier, warmer weather. No odour at all was detected outside the site boundary at the time of the site visit. We also saw the onsite anaerobic digestion plant which was not in use. We are also shown around several areas inside the factory. No issues were identified during this time.

After returning to the office NG reviewed the Food, Drink & Milk Industries BREF and the BAT Conclusions for the Food, Drink & Milk Industries. This review showed that UV-C odour abatement units are not listed as BAT, hence the breach of permit condition 2.3.1 (a).

Please ensure that NRW are kept up to date with progress updates re. replacing odour

plant 1 and ensure that any new odour plant is in line with BAT.

If you have any queries about this compliance assessment report, please contact Neil Griffiths

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.