Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0032061

This form will report compliance with your permit as determined by an NRW officer					
Site	Wrexham Mill	Permit Ref	AB3492ZQ		
Operator/Permit holder	Lloyds Animal Feeds (Western) Ltd				
Regime	Installations				
Date of assessment	22/08/2017	Time in	10:00	Out	12:15
Assessment type	Site Inspection				
Parts of the permit assessed	All Below				
Lead officer's name	Ellis, Rhys				
Accompanied by					
Recipient's name/position	Tim Howell/ Group Operations Manager	Date issued	22/09/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	3.2.3
B4 - Infrastructure - Containment of stored materials	A	
C2 - General Management - Management system and operating procedures	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
	A	
F4 - Amenity - Pests/birds and scavengers	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	**Total compliance score** (see section 5 for scoring scheme)	4

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Lloyds animal feeds were issued with an environmental Permit on the 17th May 2017.

The main purpose of todays visit was a site familiarisation visit, meet key personnel on site and talk through the Environmental Permit that has been issued to the operator (being Lloyd's Animal Feeds (Western) Limited). Regulatory officer Rhys Ellis met Tim Howells (Group Operations Manager) and Paul Jones operations manager.
In summary the below was discussed.

Reporting and Notification

Permit conditions 4.2 covers reporting requirements and permit condition 4.3 covers notification requirements.
Please note that all monitoring and reporting shall be submitted to industrial Regulation general e-mail account north.wales.ppc@cyfoethnaturiolcymru.gov.uk within the required timeframes. Please also copy your regulating officer in these correspondence.

General management.

Condition 1.1.1 of your permit stipulates that you should manage and operate the activities 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.
You advised that you are in the process of pulling your management system in place including all operating procedures etc. Amongst some guidance that can be referred to in relation to Environment Management system are 'How to comply with you Environmental permit'. It was also suggested that reviewing your OPRA against your EMS (Environment Management System) would also be recommended as this covers key aspect of the Environmental Management system (For example accident plan, training assessments and systems, Procedures for reviewing and prioritising items of plant which a preventative maintenance regime is appropriate and procedures for handling, investigating , communicating and reporting actual or potential non compliances with operating procedures or emission limit etc).

It was confirmed by the operator that by November 2017 the EMS will be completed and it was agreed that an audit on the EMS will be undertaken to review the document.

Storage of liquid material and engineering for prevention and control of emissions.
Condition 3.2.3 stipulates that all liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable , to minimise, leakage and spillage from the primary container.
Currently all IBCs containing substances (whose emission to water or land could cause pollution) are stored on a concreate pad with no secondary containment.The current storage facility and infrastructure is inadequate to meet the above permit requirement and therefore the site are breaching condition 3.2.3. Due to this being a non-compliance that could have an environmental effect a breach of 3 has been noted.

The current liquid storage situation is contrary to what you stated in the permit application. Your Environmental Risk assessment page IX-17 stipulates that all storage of liquid materials (wastes and raw materials) and all processing activities involving liquid materials are undertaken either within the main processing building or within a fully bunded enclosure. As such, the potential for leaks and spills to lead to ground or groundwater contamination is deemed to be minimal.

In addition to this it was noted that pipework for the some of the tanks on site were piercing the walls of the bund. Please note that Piercing the walls or floor of a bund for pipework and ducts etc introduces a source of potential leakage and, with the exception of overflow pipes, should be avoided unless there is no practical alternative.Where practical, pipework should be routed over the top of the bund wall, rather than through it.
Further advice on containment for the prevention can be seen in the CIRIA C736 document (Containment systems for the

prevention of pollution).

The site should look into these matters and feedback to Natural Resources Wales of how they will ensure compliance with condition 3.2.3 of the permit in regards to the storage of IBC's, the site should also respond detailing if the current bund on site is satisfying relevant standards as highlighted in the CIRIA document. If there are other bunds on site these should be reviewed also.

See link - (https://www.ciria.org//Resources/Free_publications/c736.aspx)

Please provide NRW with the proposed improvements by 31st October 2017 this should include timescales for implementation with completion of no later than 30th April 2018. These improvements will be incorporated into an improvement plan.

Improvement condition 1.

This condition requires the operator to produce a written Odour Management Plan in line with Horizontal Guidance Note H4 Odour Management, for approval by Natural Resources Wales. Thank you for submitting this. Natural Resources Wales will review this document and feedback in due course.

Compliance assessment report forms.
Regulatory officer explained the compliance assessment report form which form part of any inspection/audit carried out by NRW on site or when reviewing any information/data associated with the monitoring and reporting conditions of the permit. The scoring system was also discussed and how compliance assessment findings may affect Opra score and/or your charges.



The current storage facility and infrastructure for the IBC's is inadequate to meet permit requirement



Pipework for the some of the tanks on site were piercing the walls of the bund.

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	**CCS Category**	**Action required/advised**	**Due Date**
See Section 1 above			
B1	C3	Improve infrastructure to meet permit requirements. Proposals to be submitted to NRW no later than 27th October 2017.	31/10/2017

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.