

Compliance Assessment Report CAR_NRW0037822

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 carried out: Site Inspection, Reason: Routine.

On 19/03/2021 between 10:40 and 12:15.

Parts of permit assessed: Various

NRW Lead Officer: Rebecca Harwood, accompanied by Stuart Ross.

Report sent to: Steven Van Der Keift, HS&E Manager on 01/04/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
B5 - Infrastructure - Plant and equipment	Action only (X)	
C1 - General Management - Staff competency/training	Action only (X)	
B5 - Infrastructure - Plant and equipment	C3 Minor	Condition 2.9

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

Total number of 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
B1	Action 1: Complete all works linking the effluent plant to the scrubber system by 16 April 2021 and confirm to NRW this has been completed.	16/04/2021
B1	Action 2: Update operational procedures and Odour Management Plan and submit to NRW by 31 May 2021.	31/05/2021
B1	Action 3: Sump to be inspected as a priority to mitigate the potential for off-site odour impacts. Please report back findings and planned actions, including timescales for any remedial works, to NRW by 16 April 2021.	16/04/2021

Criteria	Action needed	Complete by
B5	Action 4: In the interim identify the source of this tone and any potential short-term remedial measures to prevent and minimise the risk of an off site impact and feedback your findings to NRW by 16 April 2021.	16/04/2021
C1	Action 5: Drivers will be reminded of their responsibility to reduce the noise and to be considerate to residents (e.g. drive considerately, do not beep horns unnecessarily, do not play loud music, slam doors etc).	30/04/2021
B5	Action 6: NRW requires that 2 Sisters Food Group Ltd, provides a demonstration that BAT are in place to comply with the requirements of the permit. Where improvements are required an action plan to secure permit compliance shall be forwarded to NRW by 31 May 2021.	31/05/2021

Action 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 CAR follows a routine inspection of the site on 19th March 2021.

An off site inspection was undertaken between 09:50 and 10:40 around Church View and Chester Road. The on-site inspection took place between 10:40 and 12:15 with 2 Sisters Food Group HS&E Manager and Engineering Manager in attendance.

Odour

A slight odour was detected during our off site inspection on Chester Road at around 10:20, this was attributable to the installation but was difficult to characterise. An intense but intermittent odour was also detected at the bottom of Glendale Avenue towards the back entrance of the installation on arrival at 10:40, it could not be substantiated that this was coming from 2 Sisters Food Group. No other odour was detected off site either before or after the site inspection.

Various works have been undertaken across the installation to reduce the odour impacts following previous visits and actions. It was observed that the yard areas were being

regularly hosed and foamed down to control any odours.

Odour was still detected around the effluent screening tank. The screening tank itself has had a new floor installed and new doors to reduce odour. The tanks in this area have already been connected to the scrubber, the sheds (including the screening tank) are to be connected in the next couple of weeks. All effluent plant will then be linked to the scrubber and be under negative pressure.

Action 1: Complete all works linking the effluent plant to the scrubber system by 16 April 2021 and confirm to NRW this has been completed.

Action 2: Update operational procedures and Odour Management Plan and submit to NRW by 31 May 2021.

Odour was also detected adjacent to the offal screen; it was thought the source was a sump adjacent to the blood tank as the odour detected when on the offal gantry was different and not as intense.

Action 3: Sump to be inspected as a priority to mitigate the potential for off site odour impacts. Please report back findings and planned actions, including timescales for any remedial works, to NRW by 16 April 2021.

Noise

Since mid-February 2021, NRW has received 12 noise complaints from residents regarding your operations. NRW Officers have subsequently undertaken a noise monitoring exercise during the day (1 March 2021) at Church View and late evening (8 March 2021) at Church View, Glendale Avenue and Chester Road.

NRW Noise Survey Observations

01/03/2021 11:00 – 11:40

Church View - constant, steady engine/plant type noise dominant throughout. Intermittent thud of the forklift truck rolling on and off the trailer is very perceptible. A driver was also heard tooting his horn.

08/03/2021

NRW Officers attended Church View and the area surrounding your factory between approximately 22:50 and 00:00 to monitor sound from the site both subjectively and objectively with a sound level meter.

The monitoring position was at the end of the road with a clear line of site via a mesh fence to the despatch bay, refrigerated trailers were docked in all 4 despatch bays on arrival but no loading was evident. One trailer from bay 1 was collected by a tractor unit and moved off the bay.

Whilst officers could not inspect the trailers at close quarters to establish which had refrigeration units operating, a constant sound (akin to droning engine noise) was present

from what sounded like at least one trailer in the despatch bay area, but there may have been a contribution from other trailers parked on the yard further back from the despatch bay.

Another trailer on the bay (possibly bay 2) sounded like it was on 'electric hook up' and intermittently started and stopped approximately every 2 – 3 minutes running for approximately 30 seconds.

Shortly before the trailer was collected from bay 1 the refrigeration unit started up and was clearly a diesel unit judging by the sound and a puff of smoke, this was louder than what had been heard previously.

Little to no perceptible contribution to the sound level was observed from any other sources (e.g. local roads), the sound level was recorded at 55 – 57 dB LAeq. Objective tonal analysis identified prominent low frequency tones at 50 and 153Hz (plus others) that can be described as highly perceptible.

Other noise observed was essentially from the tractor unit that came to collect the trailer from bay 1, the engine itself was notably quiet. The cab door was slammed shut several times and music could be heard playing from the cab although the music was probably unlikely to lead to an impact but could be easily avoided.

There was no forklift trailer loading activity whilst Officers were at Church View, but they did hear it whilst on Chester Road. The intermittent thud of the forklift truck rolling on and off the trailer is very perceptible and capable of causing offence to the senses.

Subjectively Officers concluded that the sound level and character (supported by tonal analysis) at this location is likely to constitute a 'pollution' at the adjacent sensitive receptors on Church View and Gladstone Terrace and possibly extending to Chester Road.

An assessment was also made at Glendale Avenue - opposite the site entrance and a steady fan/plant type noise could be heard, this is possibly from refrigeration plant on the factory roof and possibly refrigerated trailers. The factory is clearly audible and the dominant sound source at this location.

At Chester Road - opposite the despatch bay operations, a diesel-powered refrigerated trailer was clearly audible. Objective tonal analysis identifies several low frequency tones.

Site Inspection Observations 19/03/2021

A 'loud' high pitched tone was observed from the plant area adjacent to the offal gantry. This sound became much 'quieter' as we moved further away from the area towards the western boundary as the factory building itself is likely acting as a screen, however, this may be the cause of some of the noise complaints received at Church View. This area of plant must be included in the 'noise/appropriate measures assessment' as detailed in the action found later in this section.

Action 4: In the interim identify the source of this tone and any potential short-term remedial measures to prevent and minimise the risk of an off site impact and feedback your findings to NRW by 16 April 2021.

Whilst at the despatch bay yard, vehicle operators beeped their horns unnecessarily, this

will be clearly audible at noise sensitive receptors.

Action 5: Drivers will be reminded of their responsibility to reduce the noise and to be considerate to residents (e.g. drive considerately, do not beep horns unnecessarily, do not play loud music, slam doors etc).

At the despatch bay, Officers also observed a short burst of high-pitched noise originating from an electric refrigeration unit just before 'start up'. This is possibly an audible safety warning that machinery is about to operate.

Recommendation: The Operator should consider not using bay 1 (closest to Church View) during night time hours to reduce the impact of the refrigeration units and other noises from the despatch bay.

There were a significant number of refrigerated trailers parked uncoupled between the security lodge and the chill storage area, these were running on diesel and could be leading to an off site impact. There is no electric 'hook up' provision in this area.

The trailers parked in the corner of the site by Chester Road / Church View were not operational, or on either electric or diesel hook-ups, at the time of the visit.

Having reviewed the noise monitoring results and following the observations made, NRW considers that the noise control measures in place are inadequate and do not constitute Best Available Technique (BAT). A CCS3 score has been attributed for a breach of Condition 2.9.

NRW may complete further monitoring over the next few months. Any further non-compliance may attract further scores that may escalate to a non-compliance score of CCS2, these may be suspended if a suitable action plan is deemed to have been put in place.

Action 6: NRW requires that 2 Sisters Food Group Ltd, provides a demonstration that BATs are in place to comply with the requirements of the permit. Where improvements are required an action plan to secure permit compliance shall be forwarded to NRW by 31 May 2021.

In particular the following steps should be taken;

1. Identify contributory site sound sources and characteristics (including tonality, impulsivity, intermittency), including mobile and fixed plant;
2. Rank those sources – both in terms of dB(A) and character at sensitive receptors;
3. Establish the noise control options for the dominant source (or components thereof); repeat for the next most dominant sources; scheduling of noise sensitive activities shall be included;
4. Draw up a schedule of noise reduction v cost and proposed remedial measures to achieve BAT as required.

Comments on SLR Noise Assessment Scope

- SLR should ensure their assessment meets the requirement of the action as detailed above and take note of NRW's onsite and off site observations.

- It is recommended that the assessment focuses on determining the impact of onsite sound sources (originating from both fixed and mobile plant and equipment) at **all** noise sensitive receptors in the vicinity of the site (not just Church View).
- Ranking of sources should include frequency fingerprinting for each source. Then it is possible to determine which sources can be identified at the receptor and target as necessary. For example, one source may be identified as the "loudest" on site, but a different "quieter" source with a stronger tonal element may actually be the cause of the complaint.
- It is recommended that the acoustician focuses on attended measurement and observes the site activities at first hand. It may be difficult for the operator to maintain accurate detailed logs of all site activities which will increase uncertainty in the findings.
- Ensure the realistic worst-case scenario is assessed during the measurement period (e.g. all 4 bays occupied, yard occupied by operational refrigerated trailers, plant operational).

Pests

The bird scarer was active at the time of the visit, however, birds could be seen within and around the facility. The Operator should continue to monitor the presence of birds at the site to ensure that they are controlled and do not cause pollution, hazard or annoyance outside the boundary of the site.

Site construction works

It was noted that works have been undertaken on site to concrete more of the yard by the chill storage area so that operations can be altered slightly. The bank facing Chester Road is also being realigned and any trees taken down are to be replaced.

Recommendation: Please submit your proposals for the changes to refrigeration area for incoming goods to NRW for review prior to undertaking any works to determine if a permit variation is required.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.