

Compliance Assessment Report CAR_NRW0038830

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 27/09/2021 between 14:30 and 15:25.

Parts of permit assessed: Various

NRW Lead Officer: Rebecca Harwood.

Report sent to: Steven Van Der Keift, HS&E Manager on 19/10/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	Condition 2.1.1
B4 - Infrastructure - Containment of stored materials	C3 Minor	Conditions 2.2.7 & 2.5.1
F4 - Amenity - Pests/birds and scavengers	Action only (X)	
C2 - General Management - Management system and operating procedures	C3 Minor	Condition 1.3.1
F2 - Amenity - Noise	Action only (X)	
F3 - Amenity - Dust/fibres/particulates and litter	Action only (X)	
F1 - Amenity - Odour	C3 Minor	Condition 2.2.6.3
B5 - Infrastructure - Plant and equipment	C3 Minor	Condition 2.5.1
C2 - General Management - Management system and operating procedures	C3 Minor	Condition 1.3.1
C2 - General Management - Management system and operating procedures	Action only (X)	
E1 - Emissions - Air	C3 Minor	Condition 2.2.1.2

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

Total number of non-compliances recorded	Total non-compliance score
7	28

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
A1	See Action 1 below	05/11/2021
B4	See Action 2 below	31/10/2021
F4	See Action 3 below	05/11/2021

Criteria	Action needed	Complete by
C2	See Action 4 below	05/11/2021
F2	See Action 5 below	05/11/2021
F3	See Action 6 below	05/11/2021
F1	See Actions 7 & 8 below	05/11/2021
B5	See Actions 7 & 8 below	05/11/2021
C2	See Action 9 below	26/11/2021
C2	See Action 10 below	31/10/2021
E1	See Action 11 below	05/11/2021

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 an unannounced inspection of the site on 27th September 2021.

An on-site inspection took place between 14:30 and 15:25 with 2 Sisters Food Groups Engineering Manager and Production Manager in attendance.

Pests

NRW have received complaints regarding chicken carcasses being dropped in the vicinity of residents houses close to the 2 Sisters Food Group (2SFG) Sandycroft factory. 2SFG have changed the way that chicken carcasses are being handled. Carcasses were previously stored in dolavs which were transported straight into a sealed refrigerated trailer. Since 6th September 2021 the carcasses have been transferred from the dolavs into an open trailer by the new refrigeration units and removed off site to Sarval. Approximately 5 trailers of carcasses are removed a day and this operation is attracting numerous birds. 2SFG state that this is a temporary operation due to changes in the export market, however this change in operation is not authorised as part of the permit.

Condition 1.5 states that minor operational changes under condition 2.1.1 should only be implemented with written agreement from NRW, this has not happened. 2SFG are in breach of their agreed operating techniques and are currently operating outside of their

permit conditions. **This is a breach of Condition 2.1.1 and has been scored a CCS3.**

Action 1: 2SFG to confirm how long this unauthorised activity is to last and to consider a more permanent solution should issues continue with the export market. If further changes are considered by the company, or if the current arrangement is to last beyond December 2021 then this should be discussed with NRW immediately as it is likely that any change will require a permit variation. An update must be provided to NRW by 5th November 2021 regarding the management of the carcasses short and long term.

The change in operations has resulted in an increase in the number of birds seen at site. Numerous birds were seen circling and swooping around the trailer at the time of the visit and were not being suitably controlled causing amenity issues. Although the bird scarer was operational at the time of the visit this was not having the desired effect. Broken dolavs also meant that carcasses were being transferred from one dolav to another outside before being tipped into the trailer, this activity could result in carcasses being left on the ground further attracting birds.

2SFG stated that the area where the trailer is parked is to be netted, but to allow access to the trailer two of the sides of the structure will remain open. Photographs of the netting structure have been supplied to NRW since the visit, however the effectiveness of the netting is yet to be seen.

Condition 2.5.1 states that "The Operator shall design, maintain and operate all facilities for the storage and handling of waste on the Permitted installation such that there are no releases to water or land during normal operation..." There are issues with the containment of the material since the change in operating technique and it is clear that any deterrents such as netting of the area have only been thought about after the change in practices and not as part of the change to operations. **This is a breach of Condition 2.2.7 and 2.5.1 and has been scored a CCS3.**

Action 2: It was agreed that in addition to the netting additional bird spikes should be added to the edge of the building closest to the area where the trailer is and a review of the location of the bird scarers be undertaken. Update to be provided to NRW by 31st October 2021.

Advice and Guidance: Whilst this operation is in place a review of the condition of the dolavs should be undertaken to avoid any unnecessary tipping of carcasses between dolavs.

Alongside this change in operation increasing bird numbers there is also the potential to increase both odour and noise to offsite receptors.

Action 3: Review Pest and Odour Management Plan in light of the interim changes and forward to NRW by 5th November 2021.

Noise

The trailers parked in the corner of the site by Chester Road / Church View were not operational at the time of the visit. However, there was a rigid lorry in the despatch bay

running on diesel and this was parked up in Bay 1. As previously advised if diesel vehicles are being loaded and cannot be switched off they should be sited away from the boundary to minimise the disturbance to residents in Church View. Drivers should also be reminded to turn off their engines if possible whilst being loaded. **This has been scored a CCS3 breach of Condition 1.3.1, not operating in accordance with the Noise Management Plan.**

Action 4: Please provide:

- a copy of your despatch bay procedure
- records that show relevant staff have read and understood the procedure
- records that demonstrate that drivers have been inducted correctly and informed of the requirements within the despatch area.

There was also a trailer parked by the back gate running on diesel rather than electric. This trailer contained Cat 3 offal from evisceration that is not drained/pumped directly to bulkers. 2SFG stated on 28th September 2021 that this trailer had subsequently been swapped out for an electric trailer.

Action 1 from CAR NRW_0038520 remains outstanding. The noise survey was undertaken during August, however the report and recommendations have yet to be received by NRW. 2SFG provided an update on 7th October 2021 stating that the report lacked sufficient detail on mitigation measures and they have requested more information.

Action 5: Forward the results of the noise survey and recommendations when received.

Litter

Litter was noted at the boundary of Church View, this was raised at the time and the litter subsequently picked.

Action 6: Ensure regular checks are undertaken of the perimeter fence and litter regularly picked to avoid windblown litter leaving the site. Please provide a copy of the daily check sheets and site procedures relating to litter.

ABP trailers

The offal screen and feather press were both experiencing issues during the visit. Offal was seen on the gantry floor and the ground underneath adjacent to the CAT3 trailers. Water from the feather press was pouring out of the pipe adjacent to the trailer onto the ground. A distinct odour was detected and I believe this was the source of the odour also detected in Glendale Avenue prior to the visit. **This has been scored a CCS3 breach of condition 2.2.6.3, odour detected off site. The failure of the plant has been scored a CCS3 breach of condition 2.5.1.**

At the time of issue of the CAR a Part A/B schedule notification had not been submitted.

Action 7: Submit a Schedule Notification relating to the failure of the offal screen and feather press, including your detailed investigation and mitigation measures to avoid a reoccurrence by 5th November 2021.

Action 8: Please supply your maintenance records and the maintenance schedule for both the feather press and offal screen. This should cover all inspections and records since April 2021 and any future scheduled maintenance checks. Submit information to NRW by 5th November 2021.

Feathers were also noted adjacent to the blood tank and the chemical storage cage and it looked like the area had not recently been cleaned. It was unclear whether this was a result of the issue with the feather press or from when the trailer was last changed. Records subsequently supplied by 2SFG show that the feather trailer arrived on site at 20:14 on 25th September 2021 and left at 03:12 on 28th September 2021, after the visit. This area should be cleaned regularly as per the Odour Management Plan and the Birds Pest Review recently undertaken. **This has been scored a CCS3 breach of Condition 1.3.1.**

Action 9: As discussed on site netting is to be extended over this operation to cover the CAT2 storage area. Birds will be attracted to the waste especially if there are issues with plant or machinery and waste left on the ground.

It was also noted that there continues to be a leak from the hot water pipe gasket near to the blood tank.

Complaints

Further to the odour report received by NRW on 8th September 2021, only an onsite investigation was conducted. The lack of investigation offsite due to staffing levels is unacceptable.

Action 10: Please review your complaints procedure to ensure that all complaints are investigated in a timely manner and escalation procedures are in place should there be an issue with facilitating a prompt investigation. This should be completed by 31st October 2021.

Schedule 1 notifications

A Schedule 1 notification of abnormal emissions was submitted in accordance with condition 5.1.1 on the 22nd September 2021. Following the failure of the evaporator expansion valve on the 20th September 2021, approximately 1,846kg of R407f was released over a 16 hour period. A repair was carried out and a full F-gas site manual check has been carried out to confirm there are no further leaks on any of the system. **This has been scored a CCS3 breach of Condition 2.2.1.2. unauthorised emission.**

Action 11: Provide details of the investigation into the failure of the valve to avoid a repeat occurrence, the maintenance schedule and any inspection reports of the system

undertaken in the last 12 months should also be provided to NRW by 5th November 2021.

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.