

Compliance Assessment Report

Report ID:
CAR_NRW0031797

This form will report compliance with your permit as determined by an NRW officer

Site	Dolwen Abattoir EPR/GP3235GH	Permit Ref	GP3235GH		
Operator/Permit holder	Randall Parker Foods				
Regime	Installations				
Date of assessment	20/06/2017 - 21/06/2017	Time in	18:00	Out	12:10
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Noise				
Lead officer's name	Frost, Julia				
Accompanied by	Ross, Stuart				
Recipient's name/position	Gareth Gower/ Technical Manager	Date issued	06/07/2017		

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
C2 - General Management - Management system and operating procedures	C3	1.1.1
F2 - Amenity - Noise	C2	3.5.1

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	2	Total compliance score (see section 5 for scoring scheme)	35
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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:

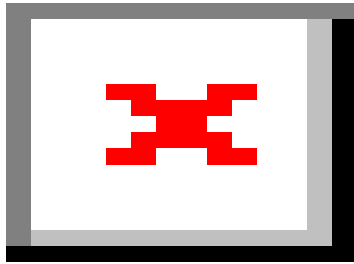
- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details 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

On 20 / 21 June 2017 Natural Resources Wales carried out a noise monitoring exercise.

Monitoring was carried out between 18:10 and 19:20, 21:55 and 00:30 on 20 June 2017 whilst no processing was taking place on site. It was also carried out on 21 June 2017 between 10:25 and 12:10 whilst processing was being carried out.

The weather conditions during the monitoring were hot, still and dry.

The Operator has confirmed that operations on site were normal during the time of the monitoring.



Location A

Monitoring was carried out between 18:50 and 19:20 on 20 June.

The LA_{eq} during this time was 49.3 dB and the LA_{90} 46 dB. The main impact on off site noise at this time was related to the refrigerated trailer units.

Monitoring was carried out between 23:10 and 23:25 on 20 June.

The LA_{eq} during this time was 44.5 dB and the LA_{90} 42.6 dB. The main impact on off site noise at this time was related to the refrigerated trailer units. A constant fan noise could also be heard from site.

Monitoring was carried out between 10:55 and 11:10 on 21 June

The LA_{eq} during this time was 54.6 dB and the LA_{90} 51.3 dB. The main impact on off site noise at this time was related to the refrigerated trailer units. A constant fan noise could also be heard from site. An air release could also be heard at this time. The release was fairly short lived and occurred approximately every minute.

Location B

Monitoring was carried out between 18:10 and 18:40 on 20 June

The LA_{eq} during this time was 51.8 dB and the LA₉₀ 50 dB. The main impact on off site noise at this time was a constant fan noise from site. Occasional bangs and clangs could be heard.

Monitoring was carried out between 22:40 and 22:55 on 20 June

The LA_{eq} during this time was 50.6 dB and the LA₉₀ 50 dB. The main impact on off site noise at this time was a constant fan noise from site. Constant whistle from the direction of the plant room. Occasional bangs and clangs could be heard.

Monitoring was carried out between 10:35 and 10:50 on 21 June

The LA_{eq} during this time was 54 dB and the LA₉₀ 51.3 dB. The main impact on off site noise at this time was a constant fan noise from site. Occasional bangs and clangs could be heard - a number of these were related to pallets being dropped on the yard.

Our monitoring at location B confirmed that there was also a tonal element to the off site noise, which appeared to be from the boiler house, plant room and associated chiller units.

Officers attended site on 20 June 2017 at 23:35. 8 refrigeration trailer units were noted on site. 6 were empty and not in use. 1 was on electric (left whilst we were on site) and 1 was on diesel.

Officers attended site on 21 June 2017 at 11.45. 6 refrigeration trailer units were noted on site. 2 were empty (1 being cleaned out) and 4 were running on electric.

We were advised that the reason one of the refrigeration trailer units was running on diesel on 20 June 2017 was that a fault was found with the electrical hook up on the unit after it had been filled. The refrigeration chiller unit running on diesel was parked on the river side of the site (furthest from the nearest sensitive receptor) but could be heard at location A.

Improvement condition 1 required you to *undertake an assessment into the potential to reduce the offsite impact from the Plant Room chiller units with respect to noise. This shall include a BAT assessment, a review of the noise management plan and the feasibility of reducing the sound level at the boundary by 10 dBA (LAeq). This assessment should be carried out by suitably qualified personnel*".

The response to this improvement condition was received on 29 March 2017 (this extension was agreed to allow the Operator to do a thorough assessment of the available options). The response consisted of a number of documents:

1. BAT assessment of plant room chill units
2. Procedures and Staff Training relating to noise management and matrix
3. Noise Assessments Graph
4. Noise Improvements that have been carried out since August 2014
5. Replies to CAR forms
6. A letter sent to Hauliers
7. Noise Management Plan
8. Noise assessment carried out by Echo Acoustics

Please see comments / queries below to each part of this response.

1. What documents were referred to when this BAT assessment was carried out? No improvements have been highlighted by this assessment that have not already been carried out. The response does not include evidence that all appropriate measures have been taken and that all the equipment / infrastructure is BAT. **The document provided does not meet the requirements of a BAT assessment.**
2. Procedure EM 02-005 refers to daily noise checks being carried out by the Technical Officer in hours but it makes no reference to who carries these out out of hours. Procedure EM 05-004 is to be followed by

relevant staff to ensure that their activities do not impact on permit compliance in relation to noise. It states that Livestock Delivery drivers should not shout "out of hours", no reference is made to in hours.

3. The graph includes noise levels recorded during 5 different noise monitoring exercises. The latest one in March shows an apparent reduction in the sound level from NRW monitoring in August 2016 by approx. 10 dB for an hour. NRW have not been provided with any further results since this date. NRW were unable to replicate this reduction during our monitoring in June and found no significant difference to the monitoring carried out in August 2016.
4. No comments to add.
5. All CAR form actions are marked as complete by the Operator. There were a number of instances during our monitoring exercise where shouting could be heard from site - including from the loading bay whilst we were on site. We also heard a number of bang / clangs whilst at location B. This included wooden pallets being dropped and stacked quite close to the nearest sensitive receptor. These observations indicate that either the training is insufficient, the procedures are not robust enough or the auditing of procedure compliance is not adequate. **Breach permit condition 1.1.1, category 3 breach.** The Operator shall review existing systems and training and ensure that regular thorough audits are carried out (and action taken where necessary) to ensure that this condition is complied with, by the end of July 2017.
6. The letter sent to hauliers states that noise levels, in relation to sounding vehicle horns, must be controlled out of hours. Whilst this is correct it makes no reference to controlling noise levels in hours.
7. Noise Management Plan EM 01-005 version 2 dated 06.12.16 was submitted. Based on what NRW Officers observed during the two noise monitoring exercises I query the determination of refrigeration rooms and plant room as "medium" and boilers as "low" in section 6. The document states it will be reviewed and amended every four years. The Operator is recommended to increase the frequency of reviewing of this document given the current issues with off site noise. The noise management plan in its current state does not adequately address the potential for impact on off site noise (this is demonstrated by the continued off site impact). The table in section 6 includes an initial noise rating and then control measures where required. An additional column should also be added to show the impact of the control measures on the noise ratings.
8. The noise assessment states that irrespective of other improvements that could potentially be carried out *"the noise from the boiler plant building will need to be attenuated. The most appropriate solution is a solid acoustic barrier, louvered acoustic screen or combination construction"*.

It was unclear from the response received above what the Operator's proposals were with respect to reducing the noise level as required by the improvement condition. A noise feasibility study was requested which was received on 31 May 2017.

The noise feasibility study consisted of assessing the suitability of 5 options. The options considered were:

1. Improved maintenance and cleaning of the fan blades and installation of new evaporator units in chillers 3,4,7,8.
2. Acoustic barrier around plant chiller units
3. Acoustic fencing at the perimeter of the site
4. Acoustic fencing on site approx. 5 m from plant chill rooms
5. Planting of trees

There is no explanation for why only these options were considered and other potential options discounted. Three of these five options have been discounted by the Operator on the basis of cost without a full assessment of the likely noise reduction that would be met with each option.

The Operator states that their preferred response is to continue with option 1, alongside 5. The Operator notes in his response previous advice given by NRW that planting trees *"would not be effective in the reduction of noise"*.

Given the observations made during our monitoring exercise NRW does not accept that the noise levels have been reduced to 42 - 45 dB at the boundary as a result of the work carried out to date. As previously stated, whilst the planting of trees will result in an improvement in relation to visual impact for the nearest receptor, it will not provide the required reduction in noise levels off site to secure compliance with the permit.

Whilst a response has been submitted in relation to Improvement Condition 1, a number of the documents provided are not adequate and NRW do not accept that the proposals identified to reduce the offsite noise will be adequate to comply with the permit.

Permit condition 3.5.1 requires *"emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and*

vibration management plan to prevent or where that is not practicable to minimise the noise and vibration".

Observations made by Natural Resources Wales Officers on 20 and 21 June 2017 concluded that the activities on site were causing a pollution outside the site and therefore this permit condition was not being complied with. **Breach of permit condition which as it is considered to be an on-going amenity issue is classified as a category 2 in line with NRW policies.**

An enforcement notice will be served on the Operator to secure compliance with permit conditions in relation to off site noise.

Whilst carrying out the noise monitoring exercise odour was noted off site on a number of occasions at location B and whilst on site. The Operator shall carry out an assessment of the impact of their activities on off site odours. A summary of the findings and details of any improvements highlighted shall be submitted to Natural Resources Wales by the end of July 2017.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0031797**

This form will report compliance with your permit as determined by an NRW officer

Site	Dolwen Abattoir EPR/GP3235GH	Permit Ref	GP3235GH
Operator/Permit holder	Randall Parker Foods	Date	20/06/2017

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
C2	C3	See CAR form text	31/07/2017
F2	C2	See CAR form text	05/10/2017

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.