

Compliance Assessment Report

Report ID:
CAR_NRW0033223

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	19/03/2018 - 20/03/2018	Time in	20:30	Out	11:00
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Noise				
Lead officer's name	Frost, Julia				
Accompanied by	Oakes, Ian				
Recipient's name/position	Gareth Gower/ Technical Manager	Date issued	01/05/2018		

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 19th and 20th March 2018 Natural Resources Wales carried out a noise monitoring exercise.

Monitoring was carried out between 20:30 and 22:05 on 19th March, 05:20 and 06:30 and 09:21 and 10:40 on 20th March.

The weather conditions were dry, still / light easterly and very cold during the monitoring with snow on the ground.

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



Monitoring Results

Location A

A1. Monitoring was carried out between 21:04 and 21:28 on 19th March.

The LAeq during this time was 51 dB and the LA90 was 41 dB. The main impact on off site noise at this time was a steady fan noise believed to be from the refrigerated trailer units, with occasional bang / clatter / thud and raised voice heard from site.

For the first 12 minutes of monitoring a pulsing / throbbing noise could be heard. This appeared to be coming from a refrigeration trailer running on diesel before it left site.

The readings recorded for this period have been scrutinised further to establish the difference between when the trailer was on site and when it had left. Our observations at the time of the monitoring were that there was a significant difference once the trailer left site, this is confirmed by the levels recorded.

LAeq was 52 dB and LA90 51 dB whilst trailer on site. The LAeq was 42 dB and the LA90 was 41 dB once it had left.

A2. Monitoring was carried out between 05:41 and 05:56 on 20th March.

The LAeq was 49 dB and the LA90 was 43 dB during this time. Constant whirring was observed from the refrigeration trailers, with

occasional reverse beepers, bangs and clangs.

A3. Monitoring was carried out between 10:08 and 10:23 on 20 March.

The LAeq was 55 dB and the LA90 was 48 dB during this time. A constant fan noise from the refrigeration trailers was noted during this time. Occasional raised voices could be heard from site.

Location B

B1. Monitoring was carried out between 21:36 and 22:03 on 19 March.

The LAeq was 48 dB and the LA90 was 44 dB during this time. A constant fan noise was observed with occasional bangs and high pitched noises from site. Very few activities appeared to be being carried out on site.

B2. Monitoring was carried out between 06:00 and 06:33 on 20 March.

The LAeq was 51 dB and the LA90 was 49 dB during this time. A constant fan noise was observed from site with occasional bangs, clangs, reverse beepers, shouting on sit, scraping (as if something was being dragged).

B3. Monitoring was carried out between 09:45 and 10:05 on 20 March

The LAeq was 57 dB and LA90 48dB during this time. A constant fan noise was observed with occasional bangs, clangs, reverse beepers, shouting and clatters from site.

Proxy Background

This was taken from down the farm track by the bungalow in front of site, near to some bales.

P1. Monitoring was carried out between 20:37 and 20:52 on 19 March.

The LAeq was 41 dB and LA90 was 35dB during this time. An occasional fan whirring noise could be heard at this location. There was also an influence from the road noise. Instantaneous readings of 34 dB we recorded at this time when there was no influence from road noise.

P2. Monitoring was carried out between 05:19 and 05:32 on 20 March.

The LAeq was 48 dB and the LA90 36 dB during this time. Reverse beepers could be heard from site, as well as occasional fan noise. Road noise was a factor at this location at this time.

P3. Monitoring was carried out between 09:21 and 09:36 on 20 March.

The LAeq was 47 dB and the LA90 was 42 dB during this time. Road noise was fairly constant at this time but instantaneous readings of 36/37 dB were noted in the gaps with no traffic.

Permit Conditions Assessed

Permit condition 1.1.1 requires that the site shall be managed and operated in accordance with a written management system and that it should be operated by sufficiently trained persons.

Observations made during the exercise indicate that procedures are not robust enough or training is inadequate or procedures not being followed / audited against. **A Category 3 breach has been scored in relation to this.** The operator should ensure that adequate training and procedures are in place to ensure that staff are aware of the impact of their role on permit compliance, specifically in relation to off site noise. This should be reviewed by the Operator by 20 May 2018 and the necessary improvements put in place.

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 minimise the noise and vibration".

Observations made by Natural Resources Wales Officers on 19 and 20 March 2018 concluded that the activities are still causing an offsite issue with respect to noise and that this permit condition is still being breached. **As this is an ongoing amenity issue it is classified as a category 2 breach in line with NRW policies.**

NRW have been provided with a copy of Acoustic Consultants Ltd "Noise Impact Assessment" dated March 2018. This report details the findings of the February 2018 noise survey and highlights a number of improvements required to secure compliance with the permit. This response is currently being reviewed by NRW.

The Operator is currently in consultation with the acoustic experts highlighted in the report regarding timescales for completion of the proposed improvements. This information is due to be provided to the Operator by 4 May 2018. A detailed action plan, including timescales for completion of the improvements should be provided to NRW by 11 May 2018.

NRW will consider our enforcement response to this ongoing non compliance.

EPR Compliance Assessment Report

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Operator/Permit holder	Randall Parker Foods	Date	19/03/2018

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	Review procedures and training to ensure that they are adequate. Ensure procedures are being followed	20/05/2018
F2	C2	See CAR form text	11/05/2018

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.