

Compliance Assessment Report CAR_NRW0039342

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 08/02/2022 between 13:35 and 14:20.

Parts of permit assessed: Various

NRW Lead Officer: Rebecca Harwood.

Report sent to: Steven Van Der Keift, HS&E Manager on 11/03/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B5 - Infrastructure - Plant and equipment	Action only (X)	
A1 - Specified by permit	C3 Minor	Condition 2.1.1
B4 - Infrastructure - Containment of stored materials	Action only (X)	
A1 - Specified by permit	Action only (X)	

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
B5	see Actions 1 & 2 below	30/04/2022
A1	see Action 3 below	31/03/2022
B4	see Action 4 below	31/03/2022
A1	see Action 5 below	31/03/2022

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 Compliance Assessment Report follows a routine inspection of the site on 08 February 2022 primarily to discuss the noise survey recommendations.

The on-site inspection took place between 13:35 and 14:20 with 2 Sisters Food Groups HS&E Manager.

Following an independent noise survey commissioned by 2SFG and undertaken during August 2021, NRW visited the site to discuss the recommendations identified within the report. The findings of the Operator's own noise survey support NRW's previous observations and further confirm that the sites activities are giving rise to a noise pollution at noise sensitive receptors.

Although an acoustic barrier had been suggested this is not necessarily the best solution to alleviate the noise impact of the site on the adjacent residents. More investigation should be undertaken by the Operator into the point sources of noise with a thorough review of operational practices undertaken. As previously stated in CAR_NRW0037822 a BAT assessment is required and a review of all noise sources at the site should be undertaken with a view to implement specific remedial measures.

The Operator stated that they would undertake some night surveillance of the site to locate specific noise sources so that these can be addressed and mitigated. Discussions were had regarding the location of certain activities and whether any of the despatch bay operations could be relocated. In addition a discussion was held around operational hours and reviewing whether certain activities could be restricted during the night.

Action 1: NRW requires 2 Sisters Food Group Ltd to demonstrate that best available techniques 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 30 April 2022.

Having undertaken a noise survey and identified site sound sources and characteristics the following steps should be undertaken:

1. Rank the sources identified – both in terms of dB(A) and character at sensitive receptors;
2. 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;
3. Draw up a schedule of noise reduction v cost and proposed remedial measures to achieve BAT as required.

Action 2: A permanent solution should be implement to reduce the high pitched whine

located to the rear of the facility near to the offal trailers. The installation of the interim solution appears to have been successful and therefore needs to be made permanent.

The unauthorised activity relating to the use of the trailer for the removal of carcasses continues. **This has been scored a CCS3 breach of Condition 2.1.1.** 2SFG stated that this continued operation was as a result of the continued issues with the export market and the requirement for FSA approval before export can recommence. Whilst on site dolavs of product were being stored outside of the refrigerated area despite a trailer not being available to tip into. This was increasing the number of birds present in the area. NRW requested that these dolavs be stored inside until a trailer was available to be used. The Operator has stated that the current end destination for the carcasses cannot receive the product in dolavs hence why they are being tipped into the trailer.

Action 3: Provide NRW with an update regarding the management of the carcasses, including timescales and contingencies should the FSA not approve the product for export by 31.03.2022.

Netting has been extended at the back of the site adjacent to the CAT2 offal trailers and this appears to have assisted in reducing the number of birds in this area of the site.

A distinct odour was detected in the lairage area and rear yard, however this area was actively being kept clean and there was ongoing washing of vehicles. An off site inspection was conducted along Rectors Lane prior to the visit and Bernsdale Close after the visit. There was no notable off site odour detected at the time of the inspection.

There were a number of IBC containers on site that were not stored on bunds and didn't have any secondary containment. The Operator stated that these containers were in a bunded area of the site and that the drainage in that area goes directly to the effluent plant. The increase in the number of IBCs on site was due to supply and demand issues.

Action 4: Ensure all IBCs are stored with secondary containment in accordance with Condition 2.2.5.

As previously advised in CAR NRW_0038520 a permit variation is required to regularise all the works that have happened on the site over the years.

Action 5: Please submit a Permit Variation to regularise the activities within the facility by 31.03.2022.

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.