

Compliance Assessment Report CAR_NRW0039544

Permit being assessed: VP3235HS.

For: Farmers Boy (Deeside) Ltd, held by Farmers Boy (Deeside) Ltd

At: Unit 105/106 Tenth Avenue , Deeside Industrial Park, DEESIDE, Clwyd, CH5 2UA.

Type of assessment carried out: Audit, Reason: Routine.

On 09/03/2022 between 09:55 and 15:25.

Parts of permit assessed: See report

NRW Lead Officer: Lara Cubley.

Report sent to: Greg Lewandowski, Services Manager on 14/03/2022.

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)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
B4 - Infrastructure - Containment of stored materials	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
0	0

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	Yard C - Repair deterioration around the ACO drain in front of loading bays.	31/12/2022
B3	See Action 1	06/05/2022
B3	See Action 2	01/04/2022
B4	See Action 3	18/03/2022

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.

At this time, we do not intend to take any further action.

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**Introduction**

NRW conducted a site audit on the 09/03/22 looking at pollution prevention and preventative maintenance of environmentally critical plant/infrastructure. This included an internal process walkthrough and inspection of outdoor areas with some discussion regarding the draft permit variation as a result of the BREF review.

Pollution Prevention

Drainage plans were available for the site with a separate plan for the 2015 extension showing internal process drains. These drains appear to go to a pumped manhole for onward treatment at the Effluent Treatment Plant (ETP).

Drainage plans for external drainage showing surface water drains following the 2015 extension were not available for inspection, however, the Services Manager committed to obtaining them with ease.

ACTION 1: The Operator should make sure an up to date as built drainage plan to include external surface water drainage is easily available in case of emergency. Any modifications made during the 2015 extension should be included. Please provide this to NRW by 06/05/22.

A bulk storage plan (EM07-003 Issue No.4 dated 16/10/20) was available showing storage areas with a corresponding schedule. Such a plan was also available for wastes. Some of these were inspected during the site walkover (see below).

The Emergency incident & Non-Conformance Procedure and Spill Control Procedure was reviewed. The Delivery/Collection Procedure (21/07/15) was also reviewed. There are no recent reported incidents since a road traffic accident just outside the installation boundary and a burner which caught fire. No testing of emergency procedures have taken place but the operator reports that a spill control training exercise was undertaken 4 to 5 years ago.

ADVICE & GUIDANCE: It would be good practice to undertake an emergency simulation exercise that included an environmental element in order to test emergency procedures.

Preventative maintenance of environmentally critical plant/infrastructure

Weekly environmental inspections are undertaken to include storage areas. These were being undertaken by the 'Yard Team' but have been taken over by the Services Manager since the start of 2022. NRW reviewed these inspection reports from the start of 2022. There are some actions related to locking storage.

Daily checks of the ETP equipment and chemicals are made by Maintenance Assistants. A record of these were reviewed. Further inspections/checks were also viewed on the Computerised Maintenance Management System (CMMS). The current CMMS used is Pirana but the operator reported that there is a plan in place to change to a new system which will be completely paperless.

The Services Manager reported that 6 monthly inspections of the hardstanding are made and that deterioration around the ACO drain in front of loading bays on Yard C had been noted. A plan is in place to get a contractor in to repair this.

The ammonia based refrigeration plant and that containing ozone depleting substances are maintained by a specialist contractor. The ammonia plant is subject to an automatic leak detection system.

As a sample NRW picked the Infill pack containing R448 to check a record of the last leak test conducted. A document was made available confirming last test on 27/01/22 with no leak found.

The Services Manager reported that the interceptor located in Yard B is emptied on a 6 monthly basis, having just occurred on the 07/03/22. A hazardous waste consignment note for this was available for this. Part E had yet to be returned to confirm receipt at disposal site.

Internal Process Walkthrough

A walkthrough from delivery of ingredients to dispatch of final product was conducted. The roasting/smoking oven and grill which will be the subject of a variation shortly were observed. These will be additional emission points (A11 & A12) added in the Permit. This roasting/smoking oven is not currently used for smoking and would reportedly require modifications for effective use as a smoker.

External Inspection

During inspection of Yard B a jet washing station was located directly by surface water drains and the area was wet. This was close to an area where drainage has been modified so that surface water run off is captured by ACO drains leading to the ETP. Within this area was a Dolav wash. The Yard Manager reported this wash was broken and confirmed that Dolavs should be washed out within this area.

ADVICE & GUIDANCE: The wet area of hardstanding around the surface water drain and availability of jet wash station suggested that washing could have been conducted over the area draining to surface water. It is advisable to remove this jet wash station to prevent use over the surface water drainage. It is also advisable that training be provided to ensure Dolavs and containers are washed within the area draining to the ETP. This will limit the risk of water pollution and associated consequences.

ACTION 2: Please provide NRW a record of such training by 01/04/22.

During inspection of Yard C, it was noted that the footprint of the two large purpose built steel bunded container stores containing IBCs where wet. This was noted to be wetter under and directly close to the container slightly downhill and a very slight flow was evident downslope towards drainage. The chemicals within some of the IBCs in this store are pumped directly to the building for use.

ACTION 3: The Operator is to inspect and investigate leakage from these bunded containers without delay. Findings of preliminary investigations shall be provided to NRW together with any suggested remedial actions in writing by 18/03/22.

BREF Review/Permit Variation

The draft BREF review permit has been discussed, particularly the requirement to monitor TVOC loading from the smoker (Table S3.4) from December 2023.

The Operator intends to start monitoring of chloride in effluent next month.

The Operator is in the process of putting in a permit variation for the 3 emission points not currently in the permit. This is slightly delayed from the anticipated end of March submission date due to monitoring requirements but should be submitted by the beginning of April.

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.