

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

|                                        |                                   |               |              |   |             |          |                 |       |
|----------------------------------------|-----------------------------------|---------------|--------------|---|-------------|----------|-----------------|-------|
| Site                                   | Haverfordwest Creamery            |               |              |   | Permit Ref  | XP3830UR |                 |       |
| Operator/ Permit holder                | The First Milk Cheese Company Ltd |               |              |   |             |          |                 |       |
| Date                                   | 25 November 2015                  |               |              |   | Time in     | 11:00    | Out             | 13:30 |
| What parts of the permit were assessed | See below                         |               |              |   |             |          |                 |       |
| Assessment                             | Site Inspection                   | EPR Activity: | Installation | X | Waste Op    |          | Water Discharge |       |
| Recipient's name/position              | Paul Rowe / General Manager       |               |              |   |             |          |                 |       |
| Officer's name                         | Doug Cowie, Paul Gibson           |               |              |   | Date issued |          | 11 January 2016 |       |

## Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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

### Condition(s) breached

|                                                             |                                                      |     |             |
|-------------------------------------------------------------|------------------------------------------------------|-----|-------------|
| <b>a) Permitted activities</b>                              | 1. Specified by permit                               | A   |             |
| <b>b) Infrastructure</b>                                    | 1. Engineering for prevention & control of pollution | A   |             |
|                                                             | 2. Closure & decommissioning                         | N   |             |
|                                                             | 3. Site drainage engineering (clean & foul)          | N   |             |
|                                                             | 4. Containment of stored materials                   | N   |             |
|                                                             | 5. Plant and equipment                               | A   |             |
| <b>c) General management</b>                                | 1. Staff competency/ training                        | N   |             |
|                                                             | 2. Management system & operating procedures          | A   |             |
|                                                             | 3. Materials acceptance                              | N   |             |
|                                                             | 4. Storage handling, labelling, segregation          | N   |             |
| <b>d) Incident management</b>                               | 1. Site security                                     | N   |             |
|                                                             | 2. Accident, emergency & incident planning           | N   |             |
| <b>e) Emissions</b>                                         | 1. Air                                               | N   |             |
|                                                             | 2. Land & Groundwater                                | N   |             |
|                                                             | 3. Surface water                                     | A   |             |
|                                                             | 4. Sewer                                             | N   |             |
|                                                             | 5. Waste                                             | N   |             |
| <b>f) Amenity</b>                                           | 1. Odour                                             | C3* | 3.3.1 Odour |
|                                                             | 2. Noise                                             | N   |             |
|                                                             | 3. Dust/fibres/particulates                          | N   |             |
|                                                             | 4. Pests, birds & scavengers                         | N   |             |
|                                                             | 5. Deposits on road                                  | N   |             |
| <b>g) Monitoring and records, maintenance and reporting</b> | 1. Monitoring of emissions & environment             | A   |             |
|                                                             | 2. Records of activity, site diary, journal & events | A   |             |
|                                                             | 3. Maintenance records                               | A   |             |
|                                                             | 4. Reporting & notification                          | N   |             |
| <b>h) Resource efficiency</b>                               | 1. Efficient use of raw materials                    | N   |             |
|                                                             | 2. Energy                                            | N   |             |

**KEY:** C1, C2, C3, C4 = CCS breach category (\* suspended scores are marked with an asterisk),  
A = Assessed or assessed in part (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

|                             |    |                                                              |    |
|-----------------------------|----|--------------------------------------------------------------|----|
| Number of breaches recorded | 1* | Total compliance score<br>(see section 5 for scoring scheme) | 4* |
|-----------------------------|----|--------------------------------------------------------------|----|

**If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

### Site description

The First Milk Cheese Company Ltd operates a milk processing and cheese production facility at Haverfordwest Creamery, Merlins Bridge, Haverfordwest. The company is a subsidiary of First Milk Ltd, the UK's largest dairy farmer co-operative. The facility is permitted as an installation under Section 6.8 (The Treatment of Animal and Vegetable Matter and Food Industries) of the Environmental Permitting Regulations (EPR). Milk from approximately 300 local farms is pasteurised and processed at the installation to produce a range of cheeses and whey products. As of 2014 the installation operates its own on-site effluent treatment plant (ETP) which receives and treats foul water and effluent from the installation. The final treated effluent is discharged to the Western Cleddau. First Milk are developing a nutrient off-set scheme to mitigate the potential impact of the discharge through a programme of environmental improvements at its member farms.

### Purpose of visit/assessment

This was a planned visit to the First Milk Cheese facility. An inspection of the ETP was undertaken as part of the visit.

### Person(s) present

**First Milk Cheese** Simon Matthews

**NRW** Paul Gibson  
Doug Cowie

**Severn Trent Services** Darren Clapson

**ADAS** Becky Jones  
Carolyn Smith

The following matters were covered during our visit:

- Update on the nutrient off-set scheme from First Milk Cheese and ADAS
- The potential transfer of permitted ETP operations from First Milk Cheese to Severn Trent Services (STS)
- STS summary of the conclusions from the recent Amec Foster Wheeler odour assessment for the ETP
- STS overview of ETP operations/current status. At the time of inspection the ETP was undergoing a planned maintenance stop to coincide with a similar stop at the First Milk Cheese facility.
- Site walk and off-site odour check at the ETP. No off-site odour from the ETP was noted at the time of inspection. Localised minor odours were noted on-site around the DAF unit.

### Nutrient off-set scheme

ADAS presented a draft report to the inspecting officers outlining the current status of the scheme. The number of participating/member farms has reduced from 33 to 24. This should still be enough to attain the necessary nutrient off-set savings provided the production levels at the First Milk Cheese facility do not significantly increase.

ADAS highlighted some uncertainty over the levels of Phosphate (P) in the ETP final effluent discharge. The maximum daily effluent flow allowed in First Milk Cheese's EPR permit XP3830UR is 2500m<sup>3</sup>/day. First Milk Cheese confirmed that the flow rates during 2015 have not routinely exceeded 1500m<sup>3</sup>/day. Half-yearly returns data for the ETP discharge should be available in early 2016 and should provide ADAS with even greater certainty when performing future nutrient off-set calculations.

The recognised measures to reduce fugitive/diffuse emissions of Nitrogen (N) and P from the scheme's member farms have been developed using Farmscoper – a decision support tool that can be used to assess diffuse agricultural pollutant loads on a farm and to quantify the impacts of farm mitigation methods on these pollutants. It can also determine potential additional consequences of implementing mitigation methods on biodiversity, water use and energy use.

ADAS has verified the data collected thus far and has established a benchmark assessment using Farmscoper for the participating farms. Benchmarking activity was undertaken in early Spring of 2015 and Audit 1 was undertaken in Summer 2015. Audit 2 was undertaken in early Autumn 2015. As of November 2015, the calculated savings achieved by the 24 farms participating in the scheme were approximately:

- Nitrate ~ 25000 Kg
- Phosphorus ~ 900 Kg
- Sediment ~ 133400 Kg

NRW has previously checked the units used to measure P at the ETP discharge and for the off-set scheme. Although both are expressed differently (total phosphate at the ETP; total phosphorus as P for the scheme) they both consider the same broad range of phosphorus compounds and therefore provide comparable measurements.

The savings achieved for Nitrate and Sediment have exceeded the permit thresholds; however there is a potential shortfall of ~ 500kg for P if the ETP was operating at maximum load. As noted above, the actual quantity of P discharged from the ETP during 2015 is much less than the maximum permitted value. NRW is therefore satisfied that the required nutrient savings have been achieved this year.

The overall savings in kg per hectare for the group of member farms as a result of this scheme:

- Nitrate ~ 7.50 Kg/Ha
- Phosphorus ~ 0.25 Kg/Ha
- Sediment ~ 39.00 Kg/Ha

In order to meet the shortfall of ~ 500kg for P in the longer term, there is a potential requirement to substantially increase the amount of farmland included in this project. First Milk Cheese would have to double its cheese production at Haverfordwest in order for it to come close to maximum permitted ETP discharge volumes. NRW understands this is unlikely to happen for at least 5 years.

Since this visit, First Milk Cheese and ADAS have supplied an updated report to NRW which outlines the position with the scheme as of December 2015. **NRW requires further information regarding the format and scope of the information packs for member farms and the methodology which will be used to demonstrate fugitive nutrient emission reductions going forward.**

**ACTION:** First Milk Cheese / ADAS to supply NRW with an example farm pack and outline the methodology that will be used to demonstrate fugitive nutrient emission reductions at scheme member farms.

This should be submitted to NRW by 05 February 2016.

NRW will then review the methodology and farm pack scope and format. When this has been agreed NRW will be in a position to determine compliance with Pre-Operational Condition (POC) 2 in permit XP3830UR.

### Potential transfer of permitted ETP operations

First Milk Cheese has approached NRW regarding the possibility of transferring the parts of EPR permit XP3830UR (that concern the ETP) to Severn Trent Services.

NRW has the following concerns with any potential transfer of ETP operations:

1. **Defining the Operator.** The operator is the legal person or organisation who has control over the operation of a regulated facility. NRW has regard to the published Environment Agency guidance [RGN1](#) (understanding the meaning of operator) when determining which entity is in control of an activity that requires an environmental permit.

The following factors help us decide if an entity has sufficient control:

- Manage site operations through having day-to-day control of plant operations, including the manner and rate of operation;
- Ensure that permit conditions are effectively complied with;
- Decide who holds key staff positions and have incompetent staff removed
- Make investment and/or financial decisions affecting performance of the facility;
- Ensure that regulated activities are suitably controlled in an emergency.

A site owner can continue to be the operator and hold the permit where it lets a contract for activities at a site provided they continue to take responsibility and exert sufficient supervision, otherwise the permit must be transferred to the contractor.

An operator should understand that it is responsible should a notice need to be served or enforcement action – including criminal prosecution - become necessary.

Taking into account the factors outlined above, First Milk Cheese would need to satisfy NRW that control of the Haverfordwest ETP could reside with a different legal entity before we could consider authorising any permit transfer.

2. **Nutrient off-set scheme.** The scheme (required by permit XP3830UR) must ensure that pollution reductions at participating farms will equal, or be greater than, the amount of nutrients discharged by the ETP to the Cleddau Catchment. If control of the ETP discharge were to pass to a different legal entity – for example STS – then the responsibility for achieving these nutrient offset savings could also potentially pass to that entity. As the environmental regulator, NRW would seek to ensure that any legal entity who has responsibility for complying with the requirements of permit XP3830UR is clearly identified.

Permit XP3830UR does not currently specify emission limits for the discharge from the cheese factory to the ETP (the 'influent'). NRW is legally required by the EC Water Framework Directive to apply emission limit values at the point where a permitted discharge enters the environment i.e. the ETP final effluent pipe into the Cleddau. In a scenario where First Milk Cheese's operations are divided and control of the ETP transfers to a different legal entity, then NRW may decide to impose additional emission limit values on the discharge from the cheese factory to the ETP. We would consider the design and treatment capacity of the ETP and the likely production levels at the factory going forward when making the decision to apply additional limits.

NRW is aware of examples where a different legal entity operates an effluent treatment plant serving a permitted industrial installation, however Haverfordwest Creamery is the only example we are aware of that includes the additional nutrient offset scheme requirements which are linked to the discharge from the ETP.

If these concerns can be addressed, then NRW may be able to consider a **partial transfer** of permitted operations for the ETP. Our statutory determination period for a partial permit transfer is 2 months. We hope this helps First Milk Cheese in its decision-making with regard to operation of the ETP going forward.

### ETP odour assessment

Severn Trent Services commissioned an odour assessment for the ETP in response to odour complaints from nearby residential properties and subsequent compliance visits by NRW and Pembrokeshire County Council (PCC) officers. Our previous CAR reports 5965 and 5997 provide the background and further details concerning this issue.

The odour assessment was carried out by Amec Foster Wheeler (AFW) and was undertaken over two days during September 2015. Light east to southeast winds were prevalent during the assessment.

The main conclusions of the assessment are as follows:

1. Observations at the downwind boundary of the site indicated that odour from the site was faint with low intensity;
2. Observations made off-site did not identify odour from the ETP;
3. Faint sludge-like odours associated with the Welsh Water WwTW were only identified along a short stretch of Freemans Way;
4. Analysis of complaints data did not suggest that the ETP is regularly the source of the odour;
5. Low H<sub>2</sub>S and VOC figures determined at the boundaries of the site during the walkover survey suggest that there is little in the way of breakout beyond the site boundary;
6. Elevated VOC concentrations on site are not always associated with odorous compounds, but can be useful in some areas to identify poor containment and emission hot spots;
7. H<sub>2</sub>S measurements are of some use for indicating odour potential in certain areas only, such as the DAF plant and sludge processing/storage areas;
8. The Balance Tank has been identified as having the highest odour release rate on the site and is predicted to have the greatest impact beyond the site boundary; and
9. Under the current situation on site with no additional abatement, odours from the ETP as measured on site during the warm summer period, are not predicted to exceed the 1.50µg/m<sup>3</sup> 98<sup>th</sup> percentile criterion<sup>1</sup> at any of the sensitive receptors surrounding the site.

The assessment suggests a number of measures that could be considered to reduce the impact of the site on nearby sensitive receptors:

- M1 – Passing displaced gases from tanker filling operations through activated carbon filters
- M2 – Extending the sludge thickener discharge pipe below the level of the drain to prevent spillage
- M3 – Fitting a larger capacity carbon filter to the DAF sludge tank
- M4 – Implementing monitoring procedures for the carbon filter units and identify when spent
- M5 – Covering or enclosing the DAF clarifier
- M6 – Enclosing the sludge drum thickener
- M7 – Covering the Balance Tank and installing a passive/active odour abatement system

---

<sup>1</sup> Criterion used is based on the indicative odour thresholds defined in the Environment Agency Horizontal Guidance Document H4 (Odour) 2011  
CAR 2 V1.0

Measures M1 – M4 offer minor reductions in odour but should incur relatively little expenditure. **Measure M1 is now in place.** Measures M5 – M7 would incur higher costs to install and a further options appraisal is necessary to explore these further.

NRW welcomes the findings of the odour assessment and considers that on the whole it is a comprehensive body of work. However we are obliged to point out the following limitations:

- The survey was undertaken during a period of light east to south easterly winds. We do not consider that this is representative of the prevailing wind patterns in Haverfordwest which we understand are normally westerlies or south westerlies.
- The Odournet certification records in Appendix A suggest that approximately 37% of the samples obtained as part of the assessment did not contain sufficient volume to allow a valid analysis in accordance with BS EN 13725.

First Milk Cheese and STS confirmed that a number of modifications have already been made to the cleaning and maintenance regime applying to the Balance Tank. It is also believed that ambient temperatures may be a factor i.e. higher potential for odour during warm weather. The assessment has indirectly increased awareness among STS operatives of the requirement to minimise odours from ETP operations.

In terms of the actions previously identified in our CARs 5965 and 5997:

**Action 1:** This has been **partially completed** and the odour assessment report's conclusions have informed the next stage of the operator's response.

**ACTION:** An options appraisal is needed to determine if the costs of implementing Measures M5 – M7 identified in the independent ETP odour assessment are justified.

Providing there are no intervening planning requirements, NRW is willing to consider the options appraisal before agreeing a final engineering solution with the operator. The options appraisal should be carried out as soon as possible and the findings submitted to NRW for our consideration.

The operator should also fully implement Measures M1 – M4 to minimise odour from the ETP activities.

The operator is reminded of the compliance deadline (25 March 2016) by which appropriate measures to prevent / minimise odour from the ETP must be in place.

Compliance Classification Scheme (CCS)\*\* entry 241754 issued on 25/09/15 is currently suspended. One further **CCS Category 3 score (reference 245968)** has been issued for ongoing non-compliance with permit condition 3.3.1. This score has also been **suspended** pending full implementation of appropriate odour control measures agreed with NRW and PCC by 25 March 2016. See also Section 4 of this report.

**Action 2:** The operator submitted a revised Odour Management Plan (OMP) for the ETP to NRW on 25 September 2015 within our required timescale. NRW considers this action has been **completed** and the requirements of permit condition 1.1.1 have been complied with. The relevant part of suspended CCS entry 241754 will be removed from our compliance records.

NRW will assess the revised OMP and pass on any comments to the site operator in a CAR form. It is recognised that the content of AFW's odour assessment for the ETP may inform future revisions of the OMP.

### Overview of ETP operations and odour check

The ETP was inspected as part of this visit. The plant was undergoing a planned 10-day maintenance stop to coincide with a similar stop at the cheese production facility. The ETP was due to be brought back online on 01/12/2015.

The tarpaulin cover for the DAF unit was still in use at the time of inspection. We noticed some localised minor odour in the immediate vicinity of the unit, although this was not considered offensive. Some issues had been encountered with the drive chain mechanism which rotates the skimmer inside the DAF flotation tank, although this had been rectified by STS. The unit is subject to cleaning and maintenance on a twice-weekly basis.

The performance of the membrane bio-reactors (MBRs) has been reviewed. STS has found that certain MBRs were not performing as expected due to a build-up of sludge at the bottom of the MBR chamber. This build-up has been cleared by STS and modifications made to the chambers and pipework to avoid this problem recurring.

The passive carbon filter for sludge tankering activities now has a complete set of pipe/valve fittings and is fully operational. STS personnel are monitoring use of the system by sludge tanker drivers.

The inspecting officers walked the northern perimeter of the ETP with the First Milk Cheese representative. The Merlin's Bridge WWTW access road was checked from the ETP to the WWTW site entrance. No effluent odours were noted at any stage during this check which lasted approximately 30 minutes.

NRW is not aware of any additional planning requirements or enforcement notices that have been imposed on ETP operations since our previous compliance inspection on 18 August 2015.

The ETP has recently suffered from intermittent mains power outages which appear to have caused a few operational difficulties for STS. It is understood that these outages are linked to the performance of a local sub-station which may be due for replacement in 2016. We request that First Milk Cheese and STS keeps NRW appraised of any significant developments.

Incident/Contingency planning for permitted installations is an area NRW will be focusing on during 2016/17. Maintaining the performance of the ETP in response to a major and/or prolonged mains power outage is a key consideration for Haverfordwest Creamery.

### **Other matters**

First Milk Cheese are considering the installation of a self-contained Combined Heat and Power (CHP) unit at Haverfordwest Creamery in 2016 which would utilise waste gas from the factory's heating system. This would require a permit variation and the operator should consult with NRW as early as possible regarding any proposals. Planning permission may also be required and the operator should also consult with the Local Authority if it wishes to pursue the CHP scheme.

We were also notified of a change to the SHE Manager role. Simon Matthews will be leaving First Milk Cheese in early 2016; it is expected that his replacement will be confirmed in the New Year. The inspecting officers would like to thank Simon for his efforts to maintain and improve permit compliance at the installation.

END OF SECTION 2

*\*\* Natural Resources Wales currently applies the same regulatory tools and systems as the Environment Agency.*

|                                                                                              |                                         |                  |                 |
|----------------------------------------------------------------------------------------------|-----------------------------------------|------------------|-----------------|
|              | <b>EPR Compliance Assessment Report</b> | Report ID: 06066 |                 |
| <b>This form will report non-compliance with your permit as determined by an NRW officer</b> |                                         |                  |                 |
| Site                                                                                         | Haverfordwest Creamery                  | Permit           | XP3830UR        |
| Operator/ Permit                                                                             | The First Milk Cheese Company Ltd       | Date             | 11 January 2016 |

| Section 3- Enforcement Response                                                                                                                                                                                                                                                                                                                        |  | Only one of the boxes below should be ticked |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------|-----|
| <p>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.</p> |  |                                              |     |
| Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.                                                   |  |                                              | ✓   |
| In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.                                                                   |  |                                              | N/A |
| We will now consider what enforcement action is appropriate and notify you, referencing this form.                                                                                                                                                                                                                                                     |  |                                              | N/A |

| Section 4- Action(s)                                                                                                                                                                                                         |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| Where a non - compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done. |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |
| Criteria Ref.                                                                                                                                                                                                                | CCS Category | Action Required/Advised                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Due Date         |
| See Section 1 above                                                                                                                                                                                                          |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |
| F1                                                                                                                                                                                                                           | C3           | <p>CCS record: 241754 &amp; 245968 (suspended)</p> <p>The operator needs to implement appropriate measures to prevent or where not practicable minimise odour from the effluent treatment plant. This includes making sure the DAF unit is covered and appropriate odour control systems are in place.</p> <p>An options appraisal is needed to determine if the costs of implementing Measures M5 – M7 identified in the independent ETP odour assessment are justified. Providing there are no intervening planning requirements, NRW is willing to consider the options appraisal before agreeing a final engineering solution with the operator. The options appraisal should be carried out as soon as possible and the findings submitted to NRW for our consideration.</p> <p>The operator should also fully implement Measures M1 – M4 to minimise odour from the ETP activities.</p> <p>Suspended CCS entries 241754 and 245968 will be removed if the operator complies within the specified deadline.</p> | 25 March 2016    |
| E3                                                                                                                                                                                                                           | N/A          | <p>NRW requires an example farm pack and an outline of the methodology that will be used to demonstrate fugitive nutrient emission reductions at nutrient off-set scheme member farms.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 05 February 2016 |

## 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 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 which could have a <b>major</b> environmental effect       | 60    |
| C2           | A non-compliance which could have a <b>significant</b> environmental effect | 31    |
| C3           | A non-compliance which could have a <b>minor</b> environmental effect       | 4     |
| C4           | A non-compliance which has <b>no</b> 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 Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

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

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 twenty 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 the officer's line managers. 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](mailto: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) 601 0987**.