

Compliance Assessment Report

Report ID:
CAR_NRW0019579

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				
Regime	Installations				
Date of assessment	13/05/2016	Time in	N/A	Out	N/A
Assessment type	Audit				
Parts of the permit assessed	Odour Management and Control				
Lead officer's name	Cowie, Douglas				
Accompanied by					
Recipient's name/position	Colin Reed/ Safety, Health & Environment Manager	Date issued	29/07/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	X	
F1 - Amenity - Odour	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

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 assessment focuses on the installation's Effluent Treatment Plant (ETP) which is operated by Severn Trent Services (STS) on behalf of First Milk Cheese. The following matters have been covered in this report:

- An ETP odour survey was undertaken in October 2015. First Milk Cheese has submitted an ETP odour abatement options appraisal based on the conclusions of this survey. NRW has reviewed this submission.
- The ETP Odour Management Plan version 1 (Sep 2015) has been reviewed by NRW.

ETP odour abatement options appraisal

Severn Trent Services commissioned an odour assessment for the ETP in response to odour complaints from nearby residential properties and compliance visits by NRW and Pembrokeshire County Council (PCC) officers. Our previous CAR reports 5965, 5997 and 6066 provide 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. The assessment suggested 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

Measures M1 – M4 offer minor reductions in odour but should incur relatively little expenditure. Measure M1 is now in place. Our view is that measures M1 – M4 should be fully implemented to minimise odour from the ETP activities.

Measures M5 – M7 would incur higher costs to install. First Milk Cheese submitted an options appraisal for these three measures on 15 March 2016. NRW is willing to consider the conclusions of this options appraisal before agreeing a final engineering solution

with the operator.

The options appraisal includes a cost-benefit analysis for measures M5 – M7. This analysis includes:

- A description of the work required
- Costs for each option
- The predicted odour receptor concentrations, as a 98th percentile of hourly means (C98, 1hr) produced under each of the scenarios.

The operator has stated that the costs used in the appraisal were sourced from two independent subcontractors specialising in providing odour abatement technology and fabrications.

The odour receptors considered in the appraisal consist of eight selected residential and/or public locations situated north and south of the ETP. NRW accepts this selection as representative of the locations and types of receptor which could potentially be affected by odours from the ETP.

The appraisal concludes that the works and costs required for measures M5 – M7 are not justifiable given the slight to negligible reductions in receptor odour concentrations. The quoted costs for measures M5 (DAF clarifier cover) and M6 (sludge thickener enclosure) are five-figure sums. The cost for measure M7 (Balance Tank cover & odour abatement) is a six-figure sum.

NRW has reviewed these odour abatement measures against the Best Available Techniques conclusions (BATc) identified in the revised Waste Treatment BAT Reference (BREF) document, which is currently under consultation at a European level. In the current 2015 draft BREF, BAT 8, 9 & 10 call for one or a combination of specified techniques to be used to prevent, or where not practicable minimise, diffuse and odorous emissions to air from waste treatment installations. These techniques include ensuring containment, collection and treatment of diffuse emissions.

Further consultation and interpretation is necessary to verify the applicability of these specified techniques to the Haverfordwest ETP and other similar waste treatment plants. This process will be aided once the revised Waste Treatment BREF has been agreed and published. NRW will provide further updates and advice as matters progress during 2016.

At this time we accept the conclusions of the odour abatement options appraisal, but the operator should be aware that the applicable regulatory requirements for odour prevention, minimisation and abatement may change as the Waste Treatment BREF review progresses. The final published BREF may include a requirement to contain, collect and treat odorous emissions from certain waste treatment activities.

<http://eippcb.jrc.ec.europa.eu/reference/wt.html>

We would like to see further consideration given to a temporary or retractable cover for the DAF clarifier. Both NRW and Pembrokeshire County Council (PCC) have previously substantiated odours emanating from this part of the ETP. It is acknowledged that the current tarpaulin cover can cause operational difficulties and we are willing to discuss this further with First Milk Cheese and STS during our next compliance inspection.

Following submission of the options appraisal within our specified deadline and taking into account the appraisal's conclusions, NRW is satisfied that the partially completed Action 1 identified in our previous reports has now been fully completed.

Previously, two Compliance Classification Scheme (CCS) Category 3 scores were issued to the operator for non-compliance with permit condition 3.3.1 (241754 and 245968). Both scores were suspended pending completion of Action 1 and they will now be removed from our compliance records.

Review of ETP Odour Management Plan v1

The operator submitted an Odour Management Plan (OMP) for the ETP to NRW on 25 September 2015. The OMP is a Severn Trent Services (STS) badged document.

NRW has reviewed OMP v1 and we have the following comments and queries:

1. Please amend all references to the Environment Agency to Natural Resources Wales.
2. The OMP does not include an inventory, with descriptions and quantities, of potentially odorous substances held on site. Appendix 4 of the Environment Agency H4 Odour Management guidance identifies this as one of the primary odour control measures that an OMP must include. The OMP should be updated to include an inventory of odorous substances.
3. 2 Sources, releases and impacts – the October 2015 odour survey identified the Balance Tank as a source of odour. The Balance Tank should be considered in this section.
4. 2 Sources, releases and impacts – 2.1.3 refers to the '03 Risk Assessment'. This does not appear to have been included. Should this form part of the OMP?

5. 3.3 Physical Control Measures – this specifies an enclosed DAF unit with a moveable cover to allow for maintenance as one of the control measures? Please clarify this in light of the conclusions of the odour abatement options appraisal.
6. 3.4 Management Control Measures – NRW requires sight of the relevant STS operating procedures applicable to waste unloading, loading, treatment and storage. It is understood STS personnel will be present during sludge transfer operations to ensure the carbon filter abatement system is being used. The OMP needs to make this clearer if it is not covered by another STS procedure.
7. 4 Monitoring – 4.1.2 First Milk Cheese are the environmental permit holder and should therefore always be informed of any odour problems noticed by STS operational staff.
8. 5.2 Odour complaint investigation – 5.2.3 complaints received by NRW regarding Haverfordwest Creamery are currently passed to the First Milk Plant Manager and SHE Manager for further investigation. NRW can include STS contacts for any future complaints associated with the ETP. Please advise who these contacts should be.
9. 5.2 Odour complaint investigation – 5.2.4 STS and First Milk Cheese should be aware that NRW cannot routinely pass on the personal details e.g. name, address, postcode, telephone number of complainants. We need the permission/consent of the individual to do this.
10. 5.4 Reporting Measures – 5.4.5 First Milk Cheese are the environmental permit holder and should therefore always be informed of any performance failures in order to decide if the failure is reportable to NRW (see Section 4.3 of permit EPR/XP3830UR).
11. 6 Emergency Plans – 6.1.3 First Milk Cheese are the environmental permit holder and should therefore always be informed of any accidents or emergencies in order to decide if they are reportable to NRW (see Section 4.3 of permit EPR/XP3830UR).

ACTION: STS and First Milk Cheese to review OMP v1 taking into account NRW's comments and queries. These can be discussed further with the inspecting officer before the updated OMP is submitted to NRW.

An updated OMP should be submitted to NRW by 29 July 2016.

[END OF SECTION 2]

EPR Compliance Assessment Report

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Operator/Permit holder	The First Milk Cheese Company Ltd	Date	13/05/2016

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.

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	X	Review OMP v1 taking into account NRW's comments and queries. These can be discussed further with the inspecting officer before the updated OMP is submitted to NRW.	29/07/2016

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 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 reports 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 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.