

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	18 August 2015	Time in	10:00	Out	12:30
What parts of the permit were assessed	See below				
Assessment	Choose an item.	EPR Activity:	Installation	X	Waste Op
Recipient's name/position	Simon Matthews / Safety, Health and Environmental Manager				
Officer's name	Douglas Cowie	Date issued	25 September 2015		

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

a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	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	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C3*	1.1.1 General Management
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	A	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	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	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	A	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	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	2*	Total compliance score (see section 5 for scoring scheme)	8*
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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 inspection of the First Milk Cheese ETP carried out jointly with Pollution Control officers from Pembrokeshire County Council (PCC). Doug Cowie (Industry Regulation Team) attended on behalf of NRW and was accompanied by Diana Turbervill and David Walters from PCC's Pollution Control Department. We met with Gareth Jones from Severn Trent Services (STS) who are contracted to operate the ETP on behalf of First Milk Cheese.

The following matters were covered during our inspection:

- NRW's Compliance Assessment Report (CAR) 5965, issued following a previous compliance inspection on 4 August 2015, was discussed along with any actions identified.
- PCC's findings from its own inspection on 11 August 2015 were discussed.
- STS provided an overview of plant operations/current status. At the time of inspection the treatment systems appeared to be running well with no operational issues noted. All monitoring and testing equipment appeared to be functioning properly.
- A site walk and off-site odour check was carried out with STS. No off-site odour from the ETP was noted at the time of inspection. Localised odours were noted on-site around the DAF unit and sludge tanks.

The following condition is included in First Milk Cheese's EPR permit:

3.3 Odour

"3.3.1 Emissions from the activities shall be free from odour 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 odour management plan, to prevent or where that is not practicable to minimise the odour."

The condition does specify that the operator should follow the installation's Odour Management Plan (OMP) that details appropriate measures to prevent or where not practicable minimise odour.

Site inspection 18 August 2015

NRW and PCC believe a number of areas require attention to effectively control/mitigate odour from the ETP:

1. Review of Odour Management Plan (OMP) required by operator's EPR permit XP3830UR
 - CAR 5965 confirms that NRW requires the existing OMP to be reviewed by 30 September 2015. STS confirmed a review was underway and no problems meeting the deadline were anticipated.
- Action 2 from CAR 5965 carried forward**
- An independent odour survey will be commissioned shortly to assess the performance of the current odour control measures and characterise any odours detected on and off-site. This may help distinguish between any off-site odours from the nearby Merlin's Bridge Waste Water Treatment Works operated by Dwr Cymru Welsh Water. The survey will also inform the review of the OMP. STS and First Milk should confirm the timing of the independent odour survey with NRW and PCC.

2. Dissolved Air Flotation (DAF) unit

- A temporary tarpaulin cover has now been fitted to control odours from the DAF, however this has caused operational issues with the unit's moving blades. NRW does not view this tarpaulin cover as a viable long-term odour control solution. The operator must consider a more permanent structure enclosing the DAF unit with an odour control system. This is also required by the planning permission for the site (see page 4).
- The DAF unit is currently cleaned twice a week. The operator needs to consider weather conditions and wind direction when cleaning the DAF to minimise off-site odours. The operator's Odour Management Plan (OMP) should reflect this.



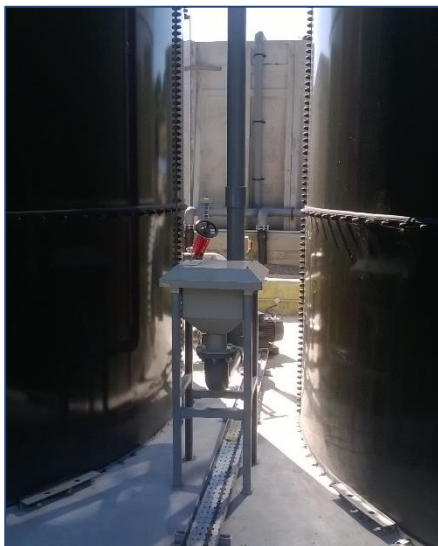
Photographs showing the DAF unit which has now been fitted with a tarpaulin cover to minimise odour

3. Odour control filters on sludge transfer points

- A passive carbon filter drum is available for tankers to use when removing sludge from the site. However the fittings connecting the drum filter to the tankers were not in place at the time of inspection. These fittings were due to be delivered and fitted w/c 24/8/15. It is critical that this system is operational as soon as possible as NRW and PCC both consider sludge transfer points to be a likely source of odour.
- Use of the drum filter by tanker drivers is also being reviewed. CCTV footage can be examined by STS personnel if necessary. The site entrance gates are now routinely kept closed to control vehicle access.
- STS are requesting feedback from delivery and tanker drivers regarding their perception of any odours.
- The operator is considering upgrading to new charcoal filters and is taking advice from its filter supplier.
- Using two passive filters in series could be an effective way of controlling odour from sludge transfer points.
- PCC pointed out that the current planning permission for the site (see page 4) requires active odour abatement for sludge transfer points. PCC will contact the operator separately about this. The independent odour survey and filter performance check should be carried out as soon as practicable in the meantime. It may be prudent for First Milk Cheese and STS to obtain a cost estimate for fitting active odour abatement.

4. Odour control filters on fixed sludge tanks and final divert tank

- Passive carbon filters are fitted to the three fixed sludge tanks (in series), the sludge thickening unit and the DAF sludge tank.
- PCC pointed out that the planning permission for the site (see page 4) requires active odour abatement fitted to the sludge tanks and the final divert tank. PCC will contact the operator separately about this. The independent odour survey and filter performance check should be carried out as soon as practicable in the meantime. It may be prudent for First Milk Cheese and STS to obtain a cost estimate for fitting active odour abatement.



Examples of carbon filters fitted to the sludge tanks and sludge thickening unit

5. Use of portable drain covers

- A number of drains at the ETP were inspected during the visit and each one had portable covers fitted.
- STS should regularly check use of drain covers to minimise odours and ensure the OMP covers this.



Portable drain covers in use around the sludge tanks and sludge thickening unit

6. Cleaning and maintenance of final divert tank

- Cleaning in Place (CIP) has been undertaken for the final divert tank. This was previously identified as a possible source of odour. The divert tank should be checked, maintained and cleaned regularly and the operator's OMP should reflect this.
- PCC highlighted certain planning requirements applying to the final divert tank (see below).

7. Cleaning and maintenance of membrane bio-reactors (MBRs) A, B, C & D

- MBRs A & B have now been unblocked, cleaned and put back into operation. During our inspection all four MBRs appeared to be working well.
- Each MBR is cleaned once every week.
- Mains power surges have been identified as affecting the operation of the plant control systems and MBRs. STS are looking at this in more detail to mitigate the impact of these power surges.

Planning requirements

The relevant planning permission for the site is 12/1073/PA granted on 8 July 2013. PCC highlighted three applicable planning conditions requiring attention – Conditions 7, 8 and 9. These are outlined below:

Condition 7) Waste gases to be force ventilated from the DAF Plant Building.

Condition 8) All sludge tanks and area involved in the storage and pumping of sludge shall be covered and all waste gases should be actively vented through an effective odour control system. Sludge tankers should not be able to remove sludge from the holding tanks without linking their waste gases to the odour control system.

Condition 9) Divert tank to be covered and waste gases actively vented via an odour control system.

PCC's Planning Enforcement Team will contact First Milk Cheese and STS regarding these conditions.

Further assessment and conclusions

No off-site odour from the ETP was noted by NRW or PCC at the time of inspection. Localised odours were noted on-site around the DAF unit and sludge tanks.

NRW and PCC's preliminary observations and comments from this inspection were passed to First Milk Cheese and STS on 21 August 2015. NRW understands this has already informed an operator meeting on 26 August 2015 to discuss odour control measures and improvements at the ETP. Verbal feedback from this meeting has since been provided to NRW and can be summarised as follows:

- The independent odour survey has been commissioned and scoping has begun. The survey could take 6-8 weeks to complete. First Milk will keep NRW informed of progress.
- New charcoal filters have been fitted around the ETP following advice from the operator's filter supplier. The performance of these filters will be reviewed in 3 months by the supplier. A preventative maintenance programme is in place which is co-ordinated by STS.

- First Milk Cheese and STS propose to complete the odour survey before offering an alternative odour control system for the DAF unit. There may be difficulties associated with retrospective construction of a building or structure around the DAF. NRW will investigate and confirm if there are any Best Available Techniques (BAT) odour control requirements that apply to DAF units.
- Bespoke fittings for the mobile drum filter have been delivered and connected to the system which is now operational. STS are monitoring the use of the filter by tanker drivers.

NRW considers Action 1 from CAR 5965 has been partially completed in respect of the use of drain covers, cleaning of MBRS, cleaning of the final divert tank and the review and maintenance of carbon filters in use at the ETP. However the DAF unit remains an area which needs addressing. We are willing to consider the conclusions of the operator's independent odour survey in respect of the DAF unit providing there are no intervening planning requirements.

Action 1 from CAR 5965 partially completed

The installation remains non-compliant with conditions 1.1.1 and 3.3.1 of the operator's EPR permit, therefore two further Compliance Classification Scheme** **(CCS) Category 3 scores (reference 241754)** have been attracted for these breaches. However on this occasion both CCS3 scores have been **suspended** pending submission of the revised OMP within the specified deadline and full implementation of odour control measures agreed with NRW and PCC in relation to the DAF unit **within 6 months** of this report.

Section 4 confirms any remaining actions we consider are needed to progress these matters. We await submission of the operator's revised OMP which is due to be completed by 30 September 2015.

END OF SECTION 2

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

	EPR Compliance Assessment Report	Report ID: 05997
This form will report non-compliance with your permit as determined by an NRW officer		
Site	Haverfordwest Creamery	Permit XP3830UR
Operator/ Permit	The First Milk Cheese Company Ltd	Date 25 September 2015

Section 3- Enforcement Response		Only one of the boxes below should be ticked
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.		
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	Action 1 CCS record: 241754 (suspended) 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. Providing there are no intervening planning requirements, NRW is willing to consider the conclusions of the independent odour survey in respect of the DAF unit before agreeing a final engineering solution with the operator. CCS entry 241754 will be removed if the operator complies within the specified deadline.	Within 6 months of this report (25 March 2016)
C2	C3	Action 2 carried forward from CAR 5965 CCS record: 241754 (suspended) The existing OMP for the effluent treatment plant has not been reviewed by Severn Trent Services and submitted by First Milk Cheese to NRW for approval. This needs to be completed and submitted to NRW no later than 30 September 2015. When reviewing the OMP the operator should take into account comments made within this report along with NRW relevant guidance on odour. (H4 Odour Management – link below) http://naturalresources.wales/media/1214/how-to-comply-with-your-environmental-permit-additional-guidance-for-h4-odour-management.pdf CCS entry 241754 will be removed if the operator complies within the specified deadline.	30 September 2015

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 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 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 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**.