

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	4 August 2015				Time in	14:00	Out	16:30
What parts of the permit were assessed	Site inspection and office-based assessment following odour complaints							
Assessment	Choose an item.	EPR Activity:	Installation	X	Waste Op		Water Discharge	
Recipient's name/position	Simon Matthews / Safety, Health and Environmental Manager							
Officer's name	Gary Evans, Douglas Cowie				Date issued		17 August 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	N	
	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	A	
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

The inspection was unplanned following odour complaints on the 31 July 2015 from residential properties within the vicinity of the First Milk Cheese installation. The complaints were initially sent to the Local Authority (Pembrokeshire County Council) and subsequently to Natural Resources Wales (NRW) for investigation. First Milk Cheese has responded via email following their investigation on the 31 July 2015.

Gary Evans (Industry Regulation Team) attended the First Milk Cheese effluent treatment plant and met with Gareth Jones from Severn Trent Services (STS (contractors for First Milk Cheese)).

The visit involved an overview of the site operation including a review of the plant in relation to potential odour sources (subjectively).

The installation is covered by EPR Permit XP3830UR with the following condition:-

3.3 Odour

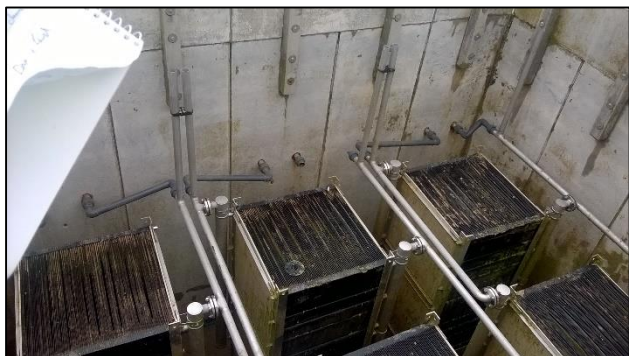
"3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour 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 4 August 2015

Our inspection involved reviewing subjectively and independently the potential odours on site which could also inform a review of the operator's OMP.

Maintenance activities were taking place during the visit involving the cleaning of the membrane filters (A and B) with the other two in operation (C and D). This involved pumping the liquid out of the filter sumps (via tankers).



STS arrange regular desludging of the DAF Plant and Membrane Filters on Mondays to Fridays, with approximately 3 collections during the day. There is a collection in early mornings at approximately 6am and in the afternoon around 2pm. On occasions here is also a collection around 11am.

This activity can be potentially odorous due to the previous tanker use on other installations and also by the nature of the pumping activity increasing agitation of the on-site materials.

The facility does have the option of utilising the on-site carbon filter drums (show below)



It is recommended that the company utilise the carbon filters when removing sludge from the facility to minimise potential off site odour.

In relation to other fixed sludge tanks they also have carbon filters fitted and the operator needs to ensure that these are checked and maintained in accordance with the manufacturer's recommendations. A review of the filter type should also be undertaken to make sure they provide effective odour control for this type of installation. Two filters in series may be more effective at certain locations.

Another potential odour source could be the Dissolved Air Flotation (DAF) unit, as perceived on site (below).



The company may choose to include a review of appropriate measures currently in place on the DAF unit to minimise potential odour impact. It was noted at the time of inspection that the DAF unit was not covered.

The inspection also involved a short off site review of the odour impact, to determine whether there was a potential off site impact. Due to the weather conditions on the inspection date, the area surveyed was north east of the facility due to the wind direction (South Westerly).



The above drawing outlines the area where the inspecting officer detected a slight distinctive odour associated with the plant, however this was not at a specific receptor (property). The odour was not emanating from Merlins Bridge WWTW (to the east), at the time of the inspection.

Further assessment and conclusions

NRW has investigated the odour complaints received on 31 July 2015. Following our site visit we have substantiated off-site odour emanating from the First Milk Cheese effluent treatment plant. We have assessed this as having a minor environmental impact (Category 3) according to our Common Incident Classification Scheme (CICS).

Based on the subjective assessment made during the inspection, it would be appropriate for the operator to review its existing OMP taking into account comments made within this document 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>

Intermittent odour from the First Milk Cheese effluent treatment plant was also noted when NRW officers investigated a previous odour complaint on 7 July 2015 (NIRS incident 01352721).

Following our inspection we have undertaken further compliance assessment against the permit and existing OMP:

- The existing OMP has not yet been reviewed by Severn Trent Services and submitted to NRW for approval. This needs to be completed and submitted to NRW **no later than 30 September 2015**.
- The existing OMP identifies the DAF unit as a potential source of odour. In Section 3.3 (Physical Control Measures) the OMP describes how a moveable cover will be fitted to an enclosed DAF unit. When we inspected the site on 4 August 2015 the DAF unit was not covered. Furthermore, NRW understands that it is a requirement of the planning permission for the site that the DAF unit is covered.

We note that this has subsequently been addressed by the operator and a moveable cover has been fitted to the DAF unit as of 12 August 2015.

- Section 3.4 (Management Control Measures) describes how all drains will be covered using plastic mats. Pembrokeshire County Council has confirmed that some drains were not covered when an Environmental Health Officer visited the site on 11 August 2015, although STS operatives agreed to address this.
- We note that carbon filters are available for use at sludge transfer points and on some fixed tanks. We require evidence from the operator that these are checked regularly and maintained in accordance with the manufacturer's recommendations. The operator should also review the suitability of the existing carbon filter type and consider if more than one filter in series is required to provide effective odour control.

We have concluded that the operator has not used appropriate measures to prevent or where not practicable minimise odour from the installation. This is not compliant with Condition 3.3.1 of the operator's permit. One Compliance Classification Scheme** (CCS) score of **CCS3 (reference 239543)** has been recorded for this permit breach.

We consider a root cause of this non-compliance is the lack of an Odour Management Plan for the effluent treatment plant which has been reviewed by Severn Trent Services and submitted to NRW for approval. This is an associated failure of the operator's environmental management system and a further **CCS3 score (reference 239543)** has been recorded for non-compliance with permit condition 1.1.1.

Section 3 of this report confirms our enforcement response and Section 4 details the actions we consider are needed to address these non-compliances.

END OF SECTION 2

**In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.*

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency in Wales.

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

	EPR Compliance Assessment Report	Report ID: 05965	
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	17 August 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.			N/A
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.			✓
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	CCS record: 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 • Ensuring all open drains have covers fitted to minimise odour • Reviewing the suitability and effectiveness of the existing carbon filters NRW also requires evidence from the operator that the existing carbon filters are checked regularly and maintained in accordance with the manufacturer's recommendations.	As soon as possible; subject to ongoing compliance assessment
C2	C3	CCS record: 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	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**.