Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: BL9941IC/0190358

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

Site	SOUTH CAERNARFON CREAMERIES			Permit Ref	BL9941IC		
Operator/ Permit holder	SOUTH CAERNARFON CREAMERIES LTD						
Date	27/09/2013			Time in	10:00	Out	17:00
What parts of the permit were assessed	EMS, Training, Storage, Cleaning, ETP controls, and landspreading						
Assessment	Audit	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Elwyn Jones/HR, Safety, Interim Ops Manager						
Officer's name	Lara Cubley, Aled Zachary, Beth Voice			Date issued	08/10/2013		

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	N		
b) Infrastructure	1. Engineering for prevention & control of pollution	A		
	2. Closure & decommissioning	N		
	3. Site drainage engineering (clean & foul)	A		
	4. Containment of stored materials	A		
	5. Plant and equipment	C3		2.2.5.1
c) General management	1. Staff competency/ training	C3		2.3.2
	2. Management system & operating procedures	A		
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	C3		2.2.5.1
d) Incident management	1. Site security	N		
	2. Accident, emergency & incident planning	A		
e) Emissions	1. Air	N		
	2. Land & Groundwater	N		
	3. Surface water	A		
	4. Sewer	N		
	5. Waste	N		
f) Amenity	1. Odour	A		
	2. Noise	A		
	3. Dust/fibres/particulates	A		
	4. Pests, birds & scavengers	A		
	5. Deposits on road	A		
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 (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable

Number of breaches recorded	3	**Total compliance score** (see section 5 for scoring scheme)	12

If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

	INITIALS	DATE
OK FOR PUBLIC REGISTER	L.C.	6.11.13
COPIED TO PUBLIC REGISTER	JB	EDRM.

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

This report should be clear, comprehensive, unambiguous and completed within 14 days of an assessment.

EMS and Training

An up to date organisation chart was provided. The previous Operations Manager has been retained one day per week and is dealing with the planned new cheese department and the current HR & Safety Manager has taken on the Operations Manager role on an interim basis until a permanent replacement is put in post. The EMS is being reviewed and updated although, in principle, most procedures and work instructions on the ground are likely to stay largely unchanged. **The Operator is to provide a summary of this revised EMS documentation to NRW on drafting**. This should be available by 13th December 2013 when the next visit is planned.

Training for employees on environmental aspects is planned and recorded. Training is provided as part of the induction and all staff receive 'Environmental Awareness Training', last conducted in February 2012 with refresher training planned shortly. Individual procedures and work instruction have a sign off sheet for Operatives to demonstrate knowledge. When procedures are updated so is this training together with a record.

The previous Technical Manager was responsible for the environment and had received specialist training at a higher level. The Interim Operations Manager has yet to receive such training although it is anticipated such training will be provided to the post holder on permanent filling of this vacancy.

Condition 2.3.2, C1 Management – staff competency and training CCS3. The lack of environmental training for senior staff responsible for environment represents a risk. **Further training should be provided as soon as possible**. **It is also advisable that such training and skills are held by more than one post as a contingency.**

No specific training is provided for those undertaking regular checks, i.e. inspection of bunding and pollution prevention measures. Individual knowledge was not tested on the day. **The Operator is advised to ensure such Operatives are appropriately trained and know what to look out for.**

Storage of potentially polluting substances

This audit focussed on the prevention of pollution of the highest risk areas previously identified; bulk milk storage and reception, whey storage, and bulk fuel oil storage. The aim was to establish an acceptable level of control in the interim basis due to plans to build a new cheese department within the 2 year timescale.

Milk Silos and reception

Improvements were noted in this area. The crack in the bunding for the 4 silos has been repaired and new reception pipework put in place. The bund gate was kept shut.

Sensors monitor the volume in tanks and it is not possible to fill tanks close to capacity. There are high level alarms in all silos with an audible alarm. Silos are crack tested but no testing of pipework is conducted apart from visual. There are no alarms to alert of sudden loss in level. The four older silos require inspection ports to be opened when on CIP mode. There are no alarms or documented procedures and records to demonstrate that ports are closed and checked prior to filling but staff are well aware of this requirement.

The bund to the 2 newer silos had some foam sealant where the pipework passes through the bund. This requires a more permanent solution. Both bunds have a turbidity probe in the main sump which drains to ETP. However, this is not currently in operation.

The balancing tank at the inlet to the ETP has a high level alarm.

Whey Silos

The main sump to the whey silo was blocked. There is another drainage sump which appears to be working but this is not at the lowest point. There was seepage into the bund structure which would cause weakening. **This requires investigation and remedial action.**

There are no high level alarms for the two whey silos. The volume is monitored and displayed inside the RO plant. Whey is removed on a daily basis to keep the volume on site to a minimum. No high level alarm poses a risk of overfilling.

Condition 2.2.5.1, B5 Infrastructure - Plant & Equipment CCS3. **The Operator must ensure additional control measures to ensure he is alerted and acts upon loss of milk or whey from bulk storage silos to ETP. Introduction of high level alarms to whey silos or a procedure to provide equivalent protection plus commissioning of turbidity alarms in 2 milk sumps and whey sumps would fulfil this requirement. The Operator must provide NRW with proposed solutions with timescales in writing.**

Bulk fuel oil

This tank is tested annually with the last test 4/2/13 when a minimum of 6mm thickness was recorded. Advice to

remove corrosion was given. This tank is bunded and has no high level alarm, only a low level alarm. The fill pipe is bunded and has undergone recent repair. It is advisable to provide an oil resistant lining to this small bund area.

Two IBCs and some drums were stored outside of containment at the chemical storage area. Condition 2.2.5.1, C4 Management - Storage, Handling, Labelling & Segregation CCS3. **The Operator must move them into containment and investigate the cause. Staff receiving such chemicals may require further training of requirements.**

Cleaning

There are cleaning schedules for the different elements, i.e. floors, manual, and CIP with timescales and clean types. A specialist contractor is employed for support and regular review/optimising of cleans. Procedures for cleaning are readily available and operatives sign to demonstrate they are trained.
Cleans involve a pre- rinse, wash and final rinse with controlled dosing and monitoring undertaken to ensure correct make up of solution and to inform when solutions require disposal. Swabs of equipment are also taken. Data on chemical usage is maintained and monitored.
The cleaning procedure pointed out on the wall was dated from 2005 when the current version is 2009. **The Operator must ensure appropriate control of documents and replace those out of date as required.**

ETP Controls

An up-to date process flow diagram of the ETP was provided. Improvements to the structure of the polishing beds had been made by sealing up the brickwork. No daily tests of the effluent discharge had been taken on the day of inspection due to disturbance caused by a new portakabin being installed in place of the old one.
There were signs of a sludge spill to the rear of the DAF. The Operator stated that a blockage had occurred in the sludge return earlier that day but this had been overcome. Discharge at W1 was observed to be clear.
Housekeeping in the forward pump and dosing building was poor with spills of the C50 powder. Similarly, the hardstanding in front of the BAF where IBCs are stored was covered in a sludge film and one IBC did not have the cap done up. **Housekeeping should be improved.**
Weeping from the side of the concrete sludge settling structure by the access ladder was pointed out to the Operator. **This requires remedial action.**
Concerns were raised regarding ongoing investment into the ETP given its age, especially when considerable investment it likely to go into the new cheese department.

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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.	X
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)

Where 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			
B5	C3	The Operator must ensure additional control measures to ensure he is alerted and acts upon loss of milk or whey from bulk storage silos to ETP. Introduction of high level alarms to whey silos or a procedure to provide equivalent protection plus commissioning of turbidity alarms in 2 milk sumps and whey sumps would fulfil this requirement. The Operator must provide NRW with proposed solutions with timescales in writing. Investigate and remediate seepage and blocked drain in whey bund as appropriate.	08/11/13
C1	C3	Further training to management on environment should be provided as soon as possible. It is also advisable that such training and skills are held by more than one post as a contingency.	20/12/13
C4	C3	The Operator must move IBCs and drums into containment of chemical storage area and investigate the cause. Staff receiving such chemicals may require further training of requirements. Written confirmation of action taken to be provided.	18/10/13

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 the Natural Resources Wales (NRW) to fulfill 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 (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.

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 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 607 0987.