Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: BL9941IC/0185294

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	02/07/2013			Time in	11:00	Out	15:30
What parts of the permit were assessed	Site inspection (storage of potentially polluting substances), Effluent treatment performance						
Assessment	Site Inspection	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Mark Beavon						
Officer's name	Lara Cubley, Beth Voice/Aled Zachary			Date issued	24/07/2013		

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	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	C3		2.2.5.1
	5. Plant and equipment	N		
c) General management	1. Staff competency/ training	N		
	2. Management system & operating procedures	N		
	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	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	N		
	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 (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable

Number of breaches recorded	1	**Total compliance score** (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

	INITIALS	DATE
OK FOR PUBLIC REGISTER	L.C.	6.9.13
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.

Site Update
Milk Production on site ceased November 2012. Planning for a new cheese department is underway with aspirations for this to be Operational 2015/16. Pre-application discussions and advice can be provided to the Operator when required. The Operator was advised to consider the effluent treatment plant as part of the site development and the need for investment to ensure it can cope with the predicted volumes of effluent up to BAT standards.

Site Inspection
During the site inspection a large crack was evident and pointed out to the Operator in the bund wall to the milk storage area (4 silos) close to the steps up from the dairy. **B4 Non-compliance with Condition 2.2.5.1 currently scored CC3 but risk will be assessed in greater detail at next audit.**
It was also evident that some of the improvements to the secondary containment as per the action plan submitted to satisfy the enforcement notice requirements had not been made. In the instance of a catastrophic failure of a milk silo, the bund walls are unlikely to be able to contain the milk. Milk could drain to the ETP and thus emergency procedures should be in place to isolate and prevent discharge of effluent unless it meets permit limits. There may be the possibility for milk to escape down the slope and enter surface water drains to the River Erch. **The Operator must ensure such eventualities are considered and measures put in place to mitigate.**

The salty whey tanks are reportedly no longer in use and the body of a road tanker was in use for additional storage on the roadway near the top by the chemical compound. No changes have been made to the whey silo storage bund area and the heavy fuel oil tank is still in use.

We are concerned that the actions submitted in order to comply with the requirements of the Enforcement Notice and BAT for storage of potentially polluting substances have not been completed. **The Operator is to provide an update against the actions in this document, 'Preferred options for improvements to storage of potentially polluting substances & action plan for implementation' by the 02/09/13.** This will be reviewed at the next audit planned for 27th September 2013.

Effluent Treatment Plant
Monitoring forms M05a were viewed at the effluent treatment plant. There is concern that compliance with some of the permit limits for discharge to the Afon Erch could be out of compliance more often than reported via part A/Bs. For example it was noted that levels of Orthophosphate recorded were over the 1.5mg/l action level for a 4 day period between the 22nd and 24th of July with concentrations of 2.0mg/l, 2.2mg/l, 3.6mg/l, and 2.3mg/l. Please refer to data review Compliance Assessment Reports for non-compliance category and scoring. **Where the Operator has emitted effluent in exceedance of permitted limits, as demonstrated by any process control monitoring, then he should notify us in accordance with the Permit via Part A/B.**

We have advised the Operator that spot sampling does not represent BAT and that we are looking to varying the Permit to require composite sampling by auto sampler.

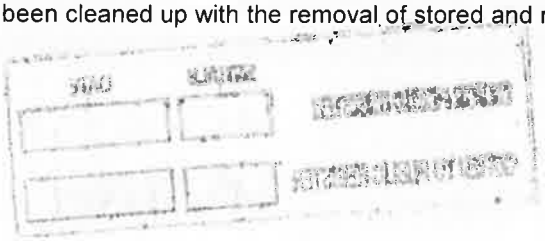
The BAFF was producing a lot of foam which was overtopping and escaping from the unit.

There are now 3 dosing pumps for the C50 polymer dosing. All changes to dosing are currently completed manually.

No repairs have been made to the polishing bed brick structure's integrity.

General
Some odour was noticeable from the ETP whilst on-site.

The waste area has been cleaned up with the removal of stored and redundant items.



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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			
B4	C3	The Operator is to review progress with improvements to storage of potentially polluting substances against actions from the enforcement notice and provide an update.	02/09/13

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.