

	EPR Compliance Assessment Report	Report ID: BL9941IC/0219614			
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	06/08/2014		Time in	10:30	Out 15:15
What parts of the permit were assessed	ETP, cleaning procedures, and resource efficiency				
Assessment	Audit	EPR Activity:	Installation: X	Waste Op:	Water Discharge:
Recipient's name/position	Elwyn Jones				
Officer's name	Lara Cubley		Date issued	10/09/2014	

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	N			
	2. Closure & decommissioning	N			
	3. Site drainage engineering (clean & foul)	N			
	4. Containment of stored materials	N			
	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	N			
	4. Sewer	N			
	5. Waste	N			
f) Amenity	1. Odour	N			
	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	N			
	2. Records of activity, site diary, journal & events	N			
	3. Maintenance records	N			
	4. Reporting & notification	N			
h) Resource efficiency	1. Efficient use of raw materials	C3		2.4.1.2	
	2. Energy	C3		2.7	
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, O = Ongoing non-compliance – not scored					

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

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

An audit of the site was conducted on the 6th August 2014. Key members of staff were talked to and the site was inspected covering the subject areas headed below.

Effluent treatment plant

The continuous monitoring of Turbidity is up and running and the contractor has advised the alarm to be set at 50NTUs. Similarly, the auto sampler has now been set to run on a flow proportionate basis. Procedures ETP 26 and 27 which deal with this new equipment have been produced. Such procedures also deal with regular maintenance of the equipment.

The effluent quality being discharged at the time of the inspection appeared to be very clear. Records of monitoring, checks and maintenance were inspected and all were found to be in good order.

A BAT review of the ETP was submitted on 01/08/14 as required by the Enforcement Notice. This was discussed briefly. The review concludes that the ETP has sufficient capacity to deal with the current volume and effluent strength produced by cheese manufacturing. However, it does point out that the efficiency and operation should be looked at with a view to reduce the high running costs in terms of chemicals and power usage.

The report also mentions that there is concern over the available storage on site should problems in the treatment occur. However, reviews in the past have shown adequate storage especially with regard to balancing tanks 6 - 12 hour retention time.

Areas the Operator must consider further are as follows:

1. Should the volumes processed increase, as planned in the future a review of the ability of the ETP to be able to deal with changed volumes and effluent strength must be undertaken.
2. Conducting a review into the efficiency and operation of the ETP since concerns have been raised in the report about running costs of the plant.
3. Ensure sufficient contingency for landspreading of sludge in accordance with guidance and see clarification regarding concerns over sufficient storage should a problem occur.
4. Further automation of the treatment process, i.e. monitoring of incoming effluent interlocked to dosing of chemicals.

Further desk based review of this BAT review submission following the site audit has highlighted a deficiency. The review describes the treatment process at the site but lacks any actual reference to what is considered BAT from the Sector Guidance of BREF note with direct comparison to the site techniques and operation. Instead it just states that the site does satisfy

BAT. The Operator is advised to complete such a comparison by 31/12/14 or other timescale to be agreed with Natural Resources Wales.

Cleaning Procedures

Production staff at the site have cleaning responsibilities. A contractor is retained to cover much of the cleaning requirements at the site. It was planned to review cleaning procedures of the butter churning, however, butter production was not occurring during the audit. As such, a broad overview of cleaning of equipment in the cheese manufacturing process was inspected. CIP sets are all optimised by the contractor with Hygiene Instruction Cards setting out the procedures. Pre rinses are used, followed by a wash cycle and final rinses. Strengths of the caustic are checked and records were in good order. However, the intermediate wash on the pasteuriser was supposed to have a caustic strength of between 0.7 - 1% according to record sheets. However, it was regularly only achieving 0.4%. The Operative confirmed that this was acceptable particularly as the wash was intermediate. **The Operator should review and revise the guideline caustic strength required and ensure that operators report departure from this as required.**

Resource Efficiency

Whilst the Operator has developed some environmental and Effluent KPIs under the EMS there are shortfalls under the Permit Requirements (Conditions 2.4.1.2 and 2.7) and best practice guidance (Dairy and Milk Processing Sector guidance).

Whilst energy and water is monitored at the site there is no sub metering, mass or energy balance to understand areas of high water or energy use based on evidence. Some KPIs have been set up or are in the process of being set up but these have not been compared to industry standards and benchmarking is not conducted. Water or energy efficiency audits have not been conducted regularly. There was no evidence of ownership, responsibilities, and overall management and/or projects being considered and developed towards continual improvement and efficiencies.

There was some evidence of basic energy efficiency requirements such as automatic closing doors on cold stores.

It was noted that the refrigeration system was making a lot of condensate being disposed of onto ground at the side of the building.

H1 Efficient use of raw materials - Condition 2.4.1.2 - CCS 3.

H2 Energy - Condition 2.7 - CC3.

It is appreciated that the Operator is undertaking extensive reviews associated with developing the site. However, the Operator must develop the management of resource efficiency in order to meet Permit requirements and realise the cost benefits to the business. In particular this must include:

- 1. Further monitoring and sub-metering to gain a clear understanding of areas of high water/energy use and flows. This should also include product loss to effluent.**

2) Benchmarking against industry / sector guidance and development of targets for continual improvement.

3) A management framework to include responsibilities, ownership, and forward planning of projects for continual improvement.

4) Audits and review of actions at least on a 4 yearly basis.

AOB

The Operator is still developing plans for a new cheese department at the site likely to be undertaken in 2 phases. This will require a variation application to the permit. The Operator is advised to contact Natural Resources Wales for pre-application guidance when required.

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.

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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			
H1	C3	The Operator must develop the management of resource efficiency as per Section 2 of this report.	31/12/14
H2	C3	The Operator must develop the management of resource efficiency as per Section 2 of this report.	31/12/14

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.