

Compliance Assessment Report for: CAR_NRW0038781

Permit number	WP3231NB	Operator name	Dairy Partners (Cymru Wales) Ltd.
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Site name	The Creamery
Site address	Newcastle Emlyn
Type of assessment	Site inspection

Date of assessment	23 rd September 2021
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Parts of permit assessed	See section 4
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NRW Lead officer	Neil Herbert	Accompanied by	N/A
Report sent to – Name and position	Andrew Jones Environment Manager	Date	19 th October 2021

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
B4 Infrastructure – Containment of stored materials	Assessed or assessed in part (A)	
E3 Emissions – Surface water	Assessed or assessed in part (A)	
F1 Amenity – Odour	C2 Significant	3.4.1

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded
1

2. What action is required?

Criteria	Action needed	Complete by
f1	<u>Odour</u> The operator shall implement the Odour Action Plan (received 23rd September 2021) to the timetable specified in the submission.	Timetable specified in Odour Action Plan
	<u>Noise</u> During the visit we did note that some of the lagging placed on one of the chiller <u>compressors</u> (i.e. the chiller nearest the door) did not encase the entire compressor. The lagging on the other two chillers encases the compressor entirely (i.e. underneath). The operator need to install lagging to enclose the entire compressor.	Within 1 month – unless otherwise agreed in writing with NRW.

Action criteria codes are listed in the 'Important information' section.

If the operator considers that they are unable to comply with any of the actions noted above, or to the deadlines specified, they must contact NRW immediately.

3. What will happen next?

You are non-compliant with your permit. We will be considering taking enforcement action against you for the non-compliance recorded above in due course.

4. Details of our assessment

Introduction

- On the 23rd September 2021 attended the site for the purposes of a meeting with the site manager (Mr. Steve Welch) and the site's Health Safety and Environment Manager, (Mr Andrew Jones) to discuss regulatory improvements at the site.
- On completion of the meeting I undertook a short, limited site visit. I was accompanied by Mr Andrew Jones. A short summary of the visit was emailed to the operator whilst this report was being compiled.

Site Visit summary

W3 Emission Point

- I confirmed that the W3 emission point outlet is still sealed and a pump was in-situ to dewater the sealed pipe.

IBC Compound – Sodium Hydroxide and Coagulant

- The operator have now installed welded pipework directly between the bulk tank and the ETP assets. The IBCs have been emptied and removed and will no longer be used. The operator has indicated that new bulk tanks will be installed in due course to further improve containment.
- During the visit we were able to better inspect the concrete plinth (where the IBCs were previously sited). It was evident that this joint between the two sections of the plinth has not been sealed with an impermeable seal. Should Dairy Partners wish to utilise this structure in future, then this joint will need to be sealed properly and general containment provision improved.

Chiller Compound – Enforcement Notice

- On the 3rd September 2021 NRW issued an Enforcement Notice against Dairy Partners to install noise abatement measures on the chiller oil separators.
- During this visit we confirmed that the lagging had been placed on the six oil separators found on the three chillers. We are therefore able to confirm that the operator have complied with this enforcement notice.
- During the visit we did note that some of the lagging placed on one of the chiller compressors (i.e. the chiller nearest the door) did not encase the entire compressor. The lagging on the other two chillers encases the compressor entirely (i.e. underneath). The operator need to install lagging to enclose the entire compressor.

Odour

- A highly offensive odour was noted outside the site boundary by the inspector. Whilst on site the same odour was later noted in the area around the ETP area.
- The operator is presently in the process of implementing a series of further odour abatement measures (in response to their odour specialist's report).

Action: Operator to complete odour abatement measures to the timetable specified in their Odour Action Plan (received¹ 23rd Sept 2021). On completion of the measures the operator will schedule a re-assessment of their effectiveness by their odour specialist.

¹ This Odour Action Plan was submitted in response to an NRW issued notice.

Compliance

The odour pollution noted in the September visit, are considered a breach of condition 3.4.1. of the site permit. These incidents are deemed an ongoing odour issue and there is a presumption to record a CCS score of 2 for ongoing amenity failures (f1)

End of section 4

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

Full list of Industry and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.