

Ein cyf/Our ref: EPR/WP3231NB

FAO: Company Secretary
DAIRY PARTNERS (CYMRU WALES) Ltd.
Brunel Way
Stroud Water Business Park,
Stonehouse
Gloucestershire
GL10 3SX

Dyddiad/Date: 5th February 2020

Warning letter

Dear Sir/Madam

Event: Failure to comply with permit conditions – The Creamery, Newcastle Emlyn - Environmental Permitting (England and Wales) Regulations 2016

On 15 June 2018 an inspection of the Newcastle Emlyn facility confirmed that a new Liquefied Natural Gas (LNG) terminal had been constructed and was undergoing commissioning. This new LNG terminal is classified as a Directly Associated Activity (DAA) to the main manufacturing activity. The EPR permit¹ held by the operator at that time did not permit the operation of this DAA.

Offence: *Contravention of Regulation 38(2) of the Environmental Permitting (England and Wales) Regulations 2016 (amended), by failing to comply with permit condition: 2.1.1 of permit number EPR- WP3231NB.*

Date: *Between the 11 June 2018 and 29 January 2019*

Also, following the issue of the revised permit² in January 2019 (incorporating the new LNG terminal), the operator was required to undertake a review of the noise abatement options for the refueling of the LNG terminal by 30 April 2019. The operator failed to comply with this deadline. A submission was eventually received on 2 January 2020.

Offence: *Contravention of Regulation 38(2) of the Environmental Permitting (England and Wales) Regulations 2016 (amended), by failing to comply with permit condition: 2.4.1. of permit number EPR- WP3231NB.*

Date: *Between the 11 June 2018 and 22 November 2019*

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Also, following the construction and commissioning of the LNG terminal, NRW received a number of noise complaints relating to the operation³ of the new LNG facility over 2018 and 2019. This issue was addressed by the company in October 2019 through the use of a silent LNG delivery system.

¹ Permit (reference FP3434UB (WP3231NB), issued under Environmental Permitting (England and Wales) Regulations 2016

² Improvement condition IC12

³ Specifically the noise generated from the refuelling pumps delivering LNG to the terminal.

Offence: *Contravention of Regulation 38(2) of the Environmental Permitting (England and Wales) Regulations 2016 (amended), by failing to comply with permit condition: 3.5.1. of permit number EPR- WP3231NB.*

Date: *Between July 2018 and October 2019*

Since then your company have taken steps to address the offences noted above.

Having considered this matter and the measures you have taken we have determined, on this occasion, to issue you with this **warning letter** as a response to the above offences.

However, our decision could change if any further relevant information comes to light, including, but not restricted to, information that:

- the company has committed earlier offences;
- the environmental impacts of this offence is greater than we presently understand them;
- the offences are continuing or have or will be repeated;
- the company has committed other offences of which we are presently unaware.

We will take this offence into account if we consider that you are involved in any future offending.

This warning does not:

- prevent any other prosecuting authority taking action against the company; or
- affect our right to issue enforcement, clear-up or remediation notices, or seek recovery of costs or damages according to law.

Yours faithfully



Paul Gibson
Arweinydd Tîm Rheoleiddio Diwydiant a Gwastraff
Industry & Waste Regulation Team Leader

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cc. by email – Mr Carl Ravenhall (Director)

Cyfoeth Naturiol Cymru / Natural Resources Wales
Plas Gwendraeth, Heol Parc Mawr, Cross Hands, Sir Gaerfyrddin/ Carmarthenshire, SA14 6RE
Ffôn/Tel: 03000 653243

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Correspondence welcomed in Welsh and English

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.