

Compliance Assessment Report CAR_NRW0042480

Permit being assessed: CG0408201

For: Knolton Farmhouse Cheese Limited, held by Knolton Farmhouse Cheese Limited

At: Oswestry Road, Overton, LL13 0LG.

Type of assessment carried out: Audit, Reason: Other.

On 20/09/2023.

Parts of permit assessed: All

NRW Lead Officer: Callum Brannan.

Report sent to: Stuart Latham, Director, on 02/11/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B4 - Operations - Improvement programme	C4 No impact	2.4 Improvement Programme
WQ-D2 - Information - Reporting	C4 No impact	4.2 Reporting

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B4	Improvement Conditions 3 has not yet been satisfactorily resolved. Provide updated EMS as requested.	01/02/2024
WQ-D2	Provide sample results for the missing dates highlighted in the description below. Otherwise, provide clarification as to why there are no aluminium sample results for these dates.	11/12/2023

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

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Dear Stuart Latham and Matt Carnell,

Thank you for providing answers and updates to the questions raised in the previous CAR Form: CAR_NRW0041890. Having discussed your response internally we would like to raise the following:

A1. Where would you require our monthly data to be sent to please?

Please forward the monthly on-site sample results through to the following inbox:

wrexhamflintshireenvironmentteam@cyfoethnaturiolcymru.gov.uk

In relation to the onsite sample results that have already been provided in your response, please clarify why there appear to be gaps/missing aluminium readings for the following dates that do not fall on the weekend:

09.06.2023

16.06.2023

19.06.2023

20.06.2023

28.06.2023

03.07.2023

04.07.2023

10.07.2023

13.07.2023

14.07.2023

A2. The procedure for daily on-site testing is attached, including escalation/plan for when tests are showing to be OOS.

Thank you for providing NRW with a copy of your written procedure for daily on-site testing of the aluminium, including an escalation plan should sample results provide a reading above the permitted levels. Would it be possible to add NRW's incident hotline number to the document in order to ensure that this is reported at the time? Alternatively, please see permit for notifications condition 4.3.

A3. We can guarantee the existing sample point on our site is representative of everything that is going off-site to the river. Condensate will remain going through the effluent plant.

Thank you for confirming that the existing sample point on your site is representative of everything that is going off-site to the river. Improvement condition 1 has been satisfied.

A4. The offsite discharge point is always accessible via the public footpath through the fields. The vegetation which grows around this, and the access route will be cut back every 3 months during the summer to allow access, we have also offered to improve the access to this if required, please advise.

We are satisfied that with the maintenance agreement in place, the offsite discharge point will always be accessible to NRW should it be required.

A5. The site EMS is to be worked on by myself, this is a project I have been tasked to complete, I am in transition from my current role and aim to have this completed as soon as possible, I will forward when complete and signed off.

Do you have an estimate date on being able to provide the updated version of your EMS? I have actioned for this to be completed within 3 months, please let me know if this isn't feasible.

Please continue to ensure that samples are checked, and are in compliance.

If you have any further issues or queries about anything in this form, please raise them with your Environment Officer Callum.Brannan@cyfoethnaturiolcymru.gov.uk

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

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 to 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
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

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

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.