

Our Ref: EPR/WP3231NB

Mr John Potter
Dairy Partners (Cymru Wales) Ltd.
The Creamery
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Newcastle Emlyn
Carmarthenshire
SA38 9DQ

Date: 29th September 2023

Dear Mr Potter

EPR- WP3231NB Dairy Partners (The Creamery, Newcastle Emlyn) Improvement Conditions Review

Thank you for submitting Dairy Partners' responses to discharge the requirements of Improvements Conditions (IC) 15 and 16 of the environmental permit EPR-WP3231NB.

- Email received on 08/09/2023 from John Potter (Dairy Partners) with response to IC15 and IC16.
- Email received on the 18/09/2023 from John Potter (Dairy Partners) with further associated documentation.

Documents received from Dairy Partners:

- EP-017 – Environmental Accident Management Plan Version 2 22.08.2023 (word document).
- HCE-1498-STR-REP-001-R02 -7 Sep 2023 HCE Ltd Structural Condition Report For Redundant ETP Slab (pdf);
- FRM-EHS-059 – Incident Response Investigation Report Version 2 01.02.2023;
- EP-024 – Storm Event Procedure Version 1 12.06.2023;
- EP-021 Spill Response Plan 13042023.

As you are aware, the ICs were included as part of a recent permit variation (application made to include the upgraded Effluent Treatment Plant (ETP)) which was issued by NRW in March 2023. The permit also underwent a review and was varied (May 2023) following the publication of the revised Best Available Techniques (BAT) Reference Documents (BREF) for Food, Drink and Milk Industries. Some additional Improvement Conditions have been included to bring the site up to the necessary standard. Further IC responses will be required from the site in due course.

We have reviewed the responses to IC15 and IC16. Please see comments below.

The Operator shall update its existing Accident Management Plan to incorporate all the activities now covered by this permit in accordance with BAT 1 of the BAT conclusions for Food Drink and Milk, under Directive 2010/75/EU of the European Parliament and of the Council. The Operator shall submit the updated Environment Management System to Natural Resources Wales for approval by the date specified.

The updated Accident Management Plan (AMP) (EP-017 – Environmental Accident Management Plan Version 2 22.08.2023) includes additional information in relation to the Secondary Containment Lagoon (SCL) around the ETP and flood barrier system.

Please see the following comments:

IC15

- The AMP does not contain a site plan showing the location of spill kits and emergency equipment. There is reference to details being available in the Spill Response Plan, however there is only a list of these locations within this document. Please update the plans to include a site plan visualising the location of the spill kits. This spill kit site plan should also form part of the AMP itself.
- Missing details on registration of flood alerts as site located in a flood risk area (need to ensure the site will receive alerts). High flood risk area not identified clearly and how this will be monitored. Please review and update.
- The AMP is also lacking detail on how access of information to staff is being provided e.g. site notice board with key information? How do staff get access to accident management plan?
- During previous correspondents with Dairy Partners, the document EP-001 Storm and Flood Management Procedure has been provided. Does EP-024 – Storm Event Procedure replaced the EP-001 Storm and Flood Management Procedure?
- A survey of the site's drainage network must be undertaken at least annually (or following changes to the network) to ensure the integrity of the drainage network. An accurate drainage plan must also be maintained and signposted in the AMP document. Please update the document as necessary.
- Details on construction and phasing (new and decommissioning) of the new SCL and flood barrier system should be referenced in this document. The construction environmental management plan (CEMP) should also be referenced and needs to be implemented as part of any development as specified in NRW's planning response dated 11th September 2023.
 - The SCL will need planning approval granted. During this determination, if plans and designs of the SCL are required to

change, please inform your site officer. Any changes could have an impact to the already agreed design as part of the permit.

- Section 5.1 Risk assessment:
 - The risk assessment table includes some generic site risks rather than those thought to be considered accidental. Please review and update accordingly.
 - Incidents are listed separately to accidents but are not laid out in a similar way e.g. incidents section does not clearly lay out consequence and likelihood details. The document must identify how likely these events are to happen. Please review and update accordingly.
 - The risk assessment table indicates that the site will implement odour and noise suppression measures. Please provide details of the techniques used.
- Section 6.4.3 of the AMP states the following: *“If the incident is on a larger scale, an appointed spill control contractor should be contacted, and specialist assistance provided, i.e.: pumping out flooded areas to prevent containment loss / over-spill to the river or groundwater contamination.”* Please clarify the statement and outline exactly what controls would be in place to ensure the prevention of potentially contaminated water being discharges to the river or groundwater

You will need to undertake a review of your AMP submission to address the issues raised above and submit the updated AMP document to NRW by the 27th of October 2023 (unless otherwise agreed in writing with NRW).

IC16

The Operator shall submit a written report to Natural Resources Wales for written approval. The report shall review the surfacing underlying and surrounding the effluent treatment plant’s two ‘out of specification’ tanks. The report shall consider surface thickness, strength, reinforcement, materials of construction and permeability of the surfacing and if the surfacing will prevent pollution to surface water and groundwater in the event of a leak, spill or catastrophic failure of the tanks. The report should reference the CIRIA C736 guidance. If the assessment identifies a risk to surface water and groundwater the report should outline improvements required and an implementation plan including timescales. The Operator shall submit the report to Natural Resources Wales for approval by the date specified.

Any improvements required shall be implemented in accordance with the implementation timetable approved in writing by Natural Resources Wales.

The following report was provided in response to IC16: HCE-1498-STR-REP-001-R02 -7 Sep 2023 HCE Ltd Structural Condition Report For Redundant ETP

Slab. The report has been prepared by HCE Limited (a civils and structural engineering firm).

Report conclusions are as follow:

“The existing ETP slab comprises circa 250mm thick reinforced concrete ground bearing slab with circa 150mm upstand bund around its perimeter.

A storm water drainage system, using a 100mm ACO channel, is provided in part adjacent to the perimeter bund in certain locations. It is understood that the storm water was connected to the redundant Effluent Treatment Plant (ETP) prior to discharging from site.

The slab on first impressions appears to be in reasonable structural condition, with no evidence of differential settlement or structural distress, however upon closer inspection, there are several cracks typically between 1-2mm in width over the majority of the slab surface. The cracks propagate several meters in length and in some locations propagate to the slab/bund edge and also under existing redundant ETP equipment.

It is concluded that whilst the cracks have had a limited affect upon the structural strength of the ground bearing slab the presence of cracks propagating for several metres to the slab/bund edge, the effectiveness of the slab as a containment slab and compliance with the relevant CIRIA guidance cannot be guaranteed. As such it is concluded that the existing slab supporting the redundant ETP equipment and any surface water system is replaced as part of the secondary containment lagoon works, and that this are be incorporated into the works.”

The report does not detail the proposed next steps that Dairy Partner will take. Please clarify if the report conclusions are to be followed and if so, provide a clear statement that this will be the case including the timelines for replacing redundant ETP equipment and surface water system as part of the SCL work. You will need to ensure that appropriate measures are implemented to prevent any risk to surface water and groundwater.

You will need to submit the information requested above for the IC 16 submission, to NRW by the 6th of October 2023 (unless otherwise agreed in writing with NRW).

Yours sincerely



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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi.

Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.