

Our Ref: EPR/XP3830UR

Mr James Cherry
The First Milk Cheese Company Limited
Haverfordwest Creamery
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Merlin's Bridge
Haverfordwest
Pembrokeshire
SA61 1JN

Date: 10th May 2024

Dear Mr Cherry

EPR- XP3830UR First Milk (Haverfordwest Creamery) Improvement Conditions Review

Thank you for submitting First Milk's updated response to discharge the requirements of Improvement Condition (IC) 6 of the environmental permit EPR/XP3830UR.

- Email received on 13/02/2024 from James Cherry (First Milk) with an updated response to IC6.

Documents received from First Milk:

- SHE-POL-016 Noise Management Plan v2.pdf.

As you are aware, during the permit variation V006, a Noise Management Plan (NMP) was not provided as part of the requested information. Therefore, IC6 was included in the environmental permit requiring a NMP to be submitted to NRW for review.

IC6 - The Operator shall submit to Natural Resources Wales an updated written procedure(s) following additional investigative work describing how they intend to meet the following BAT requirements in accordance with requirements specified within:

• BAT Conclusion 13 of the Food, Drink and Milk Industries BRef Document (EU 2019) – In order to prevent or, where that is not practicable, to reduce noise emissions, BAT is to set up, implement and regularly review a noise management plan, as part of the environmental management system that includes all of the following elements:

- a protocol containing actions and timelines***
 - a protocol for conducting noise emissions monitoring***
 - a protocol for response to identified noise events e.g. complaints***
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- a noise reduction programme designed to identify the source(s), to measure/estimate noise and vibration exposure, to characterise the contributions of the sources and to implement prevention and/or reduction measures.

NRW have undertaken a second review of the NMP submitted for review (v2).

We have reviewed the updated response provide in relation to IC6 with assistance from NRW's Air Quality and Noise Team (AQNT).

Our review has been undertaken using relevant guidance including: the Best Available Techniques Reference Document for the Food, Drink and Milk Industries (2019); Environment Agency guidance (GOV.UK published guidance) – Guidance “Noise and vibration management: environmental permits” (January 2022), section specifically relating to NMPs.

NRW acknowledges that the NMP (SHE-POL-016 Noise Management Plan v2.pdf) has been updated and addresses some of the comments raised in NRW's response letter dated 16.01.2024, however not all updates are sufficient. Some updates are satisfactory but would require further information to support previous requests.

It is noted within the NMP that a Noise Impact Assessment (NIA) is currently underway and once completed, this would further inform the acoustic environment at and surrounding the plant and a further review of the NMP will be undertaken. **Please confirm timescales for the completion of NIA work and date for sharing information with NRW. The below requests for further information should form part of the next iteration of the NMP and should be informed by the NIA.**

It is also NRW's understanding that the site is preparing permit variation application (to be submitted by June 2024) to increase the installation capacity and will include proposed additional noise sources e.g new intake pump. A revised NMP to account for additional noise sources will be required as part of the variation application pending submission. Additional new noise sources will not be reviewed as part of this IC work.

Please see the following comments for your consideration when revising the NMP:

1. Responsibilities and review

- The updated NMP makes reference to training provision to staff and/or contractors to ensure operations are carried out in accordance with the stated aim of the NMP. Section 4.1 of the NMP outlines that managers are responsible for ensuring that all their employees are fully trained on noise control...following the company procedures. Skills, competencies and training requirements for staff are documented and recorded within the EMS. No documents references are provided in the NMP to support these statements and it is recommended that these are included in the next review. There is also no inclusion to suggest that the site is certified

to ISO 14001 etc and therefore there is no indication that regular audits are undertaken either through a certified body or internally. This is also recommended to be included in the next review.

2. Noise sources

- Appendix 1 of the NMP, outlines the noise sources and the control measures in place to ensure noise is controlled. Measures presented in the table are not limited and other measures could be appropriate (the NMP should make clear if additional noise mitigation measures are not appropriate/required). The NMP doesn't specify which receptors are more likely to be affected by specific noise sources which may help to target proactive liaisons or reactive complaint resolution.
- The previous request from NRW was to provide an updated NMP which requested specific risk associated with identified equipment and activities but only the noise sources are provided. It is recommended for each noise source specific risks are identified, and each risk is assessed in terms of associated mitigation. The highest risk operations are 1) Ammonia Plant 2) HGV movements in yard 3) raw milk delivery (high/medium) followed by 4) CHP operation 5) chillers/cooling equipment and 6) Effluent Plant (medium/medium). All processes are deemed to be 'not significant' and therefore current control measures are deemed appropriate by the operator.
- Section 4.2.3(iv) states that "equipment that produces a high level of noise is generally fitted with noise reduction devices to lessen any off-site impact (e.g. CHP acoustic enclosure). This is not clearly detailed in Appendix 1. Review and ensure control measures within Appendix 1 are sufficiently detailed.
- Raw milk delivery – The Food and Drink BRef identifies that if there is a requirement for the milk to remain chilled, vehicles should hook up to the installation while onsite and avoid running diesel engines. This is absent from the NMP. **Please confirm in writing (ahead of preparing a revised NMP) that vehicles hook up to the installation while on site to avoid running diesel engines.** It is recommended that the restricted times of delivery would be specified in the 'pattern of release' column of Appendix 1.
- Management of on-site vehicle movements – Where applicable, the maintenance of HGVs, trailer parking vehicles etc should be included as a control measure.

3. Site and receptors

- Recommend reviewing and updating receptors list. Other sensitive receptors within close proximity to the site have not been identified e.g. playing fields south of the site boundary.

4. Noise monitoring and mitigation

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- The NMP has combined abnormal and emergency operating scenarios together and while technically this isn't the correct approach, this is acceptable. Table 3 of the NMP presents the abnormal events associated with the plant. Where applicable, reference is made to the presence of additional noise from the scenario. This too is acceptable. However, we would recommend that the NMP includes where appropriate, liaison with worst affected receptors to advise of situation and expected duration of abnormal activity.
 - The NMP states that it is the responsibility of the HSE team to identify unacceptable noise emissions and inform relevant departmental managers. Under certain abnormal operations direction will be sought from the Site lead. This may involve the shut-down of operations causing the noise until a suitable mitigation measure can be put into place. It is recommended that the NMP defines what it would consider as unacceptable noise emissions, this could include a certain number of complaints, timing, elevated sound levels measured or perceived at receptors.
 - Section 7 (Actions) outlines the scenarios where unacceptable noise is observed and states that where the source is identified, it will be stopped and investigated and any relevant mitigation or further control measures arranged. This may involve the shut-down of operations causing the noise but consideration of safety is paramount. It may be beneficial if this section includes a reference to any relevant competent authority that may also request the cessation of a noise sources due to their investigation/response to complaints.
 - The NMP should also include noise monitoring and reporting form templates and record keeping details. Where documents sit under the wider Environmental Management System (EMS) please provide reference to the relevant documents. Although reference is made to the site's EMS to control noise from the installations, there are no specific references to sections within the EMS as required by this point. It is recommended that these are included where appropriate to satisfy this request.

5. Engagement with neighbours and complaints/noise reporting

- The operator has identified its closest receptors and states that it is open for contact with its neighbours but this is not a considered pro-active and it is recommended that the NMP may want to reflect whether it needs further engagement with its neighbours to improve (if necessary) their operational presence in the area that may allays any concerns.
 - Section 6 (Reporting and Complaints Response) specifies that departmental managers will inform NRW as soon as possible following receipt of a complaint. We recommend that the NMP includes a time window for reporting to NRW e.g., as soon as possible but no later than 2 hours from report receipt.
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Please review the comments above and update the NMP as necessary. You will need to review and submit a response/updated document to NRW within 1 month of the NIA being completed, (assuming the NIA is to be completed imminently) unless agreed otherwise with NRW.

Yours sincerely



**Kirsty Thomas
Lead Specialist – Industry Regulation**

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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.