

Compliance Assessment Report CAR_NRW0045868

Permit being assessed: XP3830UR.

For: Haverfordwest Creamery, **held by:** The First Milk Cheese Company Ltd

At: Haverfordwest Creamery Pembroke Road , Merlins Bridge, HAVERFORDWEST, Dyfed, SA61 1JN.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 20/12/2024.

Parts of permit assessed: Condition 2.4.1, Table S1.3, Improvement Condition 6.

NRW Lead Officer: Kirsty Thomas.

Report sent to: The First Milk Cheese Company Ltd, HSE Manager, on 20/12/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2E - Installations - Operations - Improvement programme	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
IR2E	Action – First Milk to prepare and implement an internal procedure document detailing noise monitoring procedures for the site. The procedure document must include information on suitable noise monitoring equipment to be used, staff training and awareness requirements, how to use the noise monitoring equipment to obtain meaningful and representative noise readings and action to carry out if findings show an excess in expected noise levels (e.g. investigation works). Document must be submitted to NRW.	03/02/2025

Compliance 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

Improvement Condition 6 – Noise Management Plan

The operator has submitted the following documents to discharge the requirements of Improvement Condition 6 (IC6):

- SHE-POL-016 Noise Management Plan v1
- SHE-POL-016 Noise Management Plan v2
- SHE-POL-016 Noise Management Plan v3
- SHE-POL-016 Noise Management Plan v4
- 2024.J004582-7849-02 First Milk Haverfordwest Noise Assessment Issue 02 Full (undertaken by Philip Dunbavin Acoustics (PDA) Limited)

Following the submission of the Noise Management Plan (NMP) to satisfy the requirements of IC6, NRW undertook a detailed review 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.

The NMP (*SHE-POL-016 Noise Management Plan v1, v2, v3.pdf.*) contained insufficient detail to discharge IC6. NRW requested further information/updates to bring the NMP up to the relevant standards required.

It was acknowledged in NMP v2 that a Noise Impact Assessment (NIA) was underway and once completed, the findings of this assessment would further inform the acoustic environment at and surrounding the plant and a further review of the NMP would be undertaken. NRW therefore requested the next revised NMP to be informed by the NIA.

The most recent NIA survey was undertaken between April and May 2024 which has been used to further inform the latest version of the NMP. NIA report *2024.J004582-7849-02 First Milk Haverfordwest Noise Assessment Issue 02 Full* was undertaken by Philip Dunbavin Acoustics (PDA) Limited.

NOTE: a detailed assessment by NRW of the NIA has not been carried out at this time and any new noise sources that are to form part of the permit variation to

increase site capacity will not be reviewed/agreed as part of this IC review work.

The NIA states the assessment has been undertaken to the requirements of BS 4142:2014+A1:2019 'Method for rating and assessing industrial and commercial sound (BS 4142)'. The NIA results presented in the NIA indicate the target rating levels of background sound level plus 10dB are exceeded at sensitive receptors and therefore potential mitigation measures have been presented in that report. Section 8 of the NIA report documents the recommendations. The noise sources contributing to the overall sounds levels at each receiver location have been ranked in order of contribution.

A noise reduction programme/action plan (Appendix 6 of NMP v4), has been prepared by First Milk, including anticipated action implementation dates. The noise reduction programme/action plan is informed by the recommendations of the NIA report. It is noted that proposed actions listed in the NMP in some instances does not fully meet the noise reduction requirements as recommended in the sites NIA. However, the improvements proposed focus on the highest rank noise sources and further mitigation measures/improvements may need to be considered and implemented by First Milk. The NMP also commits to identifying improvements following each annual review of the NMP.

NOTE: NRW have not undertaken a review of the suitability of the proposed improvements at this time. It is First Milk's responsibility to ensure appropriate and effective materials, equipment etc (e.g. acoustic barriers) are incorporated. Any deviation from the measures recommend by appointed acoustic consultants should be reviewed and justified by First Milk.

The noise reduction plan focuses on improvements for items/recommendations 1-6 in particular of the NIA section 8.1. This includes improvements to the main evaporator, milk intake pump, evaporator chiller pump, vacuum pump room outlet and cream dispatch pump. Recommendations were also made in regards to shielding of vehicles movements near to the rear of the closest receivers on Pembroke Road and suggested improvements to truck mounted refrigeration units. (items 7 and 8 of section 8.1).

Following discussions with First Milk, it was confirmed that acoustic barriers forming part of the mitigation measures to the main evaporator will provide shielding of vehicle movements. It is noted in the NIA that one mounted refrigerant unit was operating at the time, however this was noted as an unusual event. First Milk confirmed no truck mounted refrigeration units are to be used on site.

The site operates 24 hours a day 7 days a week. Vehicle movements such as milk tankers operate 24/7 with peaks at 08:00/10:00/14:00/20:00/02:00. First Milk are not proposing to restrict vehicle movements at this time to avoid antisocial hours (late nights and early mornings) given the lack of noise complaints relating to vehicle movements. **First Milk must consider restricting operating times if noise issues are to arise and should consider as part of continual noise improvements for the site.**

When improvements are made to site such as those included in the noise reduction plan, other noise sources may become more apparent which may have been previously masked by other dominant noise sources. Further consideration may need to be given to recommendation 7 of the NIA.

Overall, focus to the highest ranked noise sources contributing to the overall sound levels

at receptors are being actioned first and improvement are planned for Q1 2025.

As part of the NMP annual review and as per section 8 of the NMP, improvements will need to be identified following each annual review of the NMP. The noise reduction programme/action plan will also be required to be updated annually.

First Milk propose a quantitative threshold for investigating when sound levels increase above a defined range. These trigger levels for responding are in excess of 5 dB above and greater than 10 dB (above upper limits). The SHE departmental managers are responsible for ensuring that procedures are in place for noise management on site.

Noise monitoring will be undertaken at the site at 6 monthly intervals^[1]. When noise levels are in excess of expected noise levels, investigations will be undertaken. The NMP states noise monitoring shall be carried out using a simple noise meter or noise meter app to give indicative values for the site. The quality of the noise monitoring will be formed by the competence of the staff undertaking the measurements and the quality of the equipment used.

We would recommend that a suitable sound level meter is used rather than a noise meter app and that suitably trained staff have an awareness of measuring environmental sound to ensure that the readings provided are useful and do not result in actions taking place that are not required, saving time and resources.

Staff training can be carried out in accordance with a suitable internal procedure documented within the site EMS or by an accredited third-party supplier. Identities of suitably trained staff should be recorded within the site EMS to ensure that at least one individual is available on-site (or can be contacted) in the event that monitoring is required.

Action – First Milk to prepare and implement an internal procedure document detailing noise monitoring procedures for the site. The procedure document must include information on suitable noise monitoring equipment to be used, staff training and awareness requirements, how to use the noise monitoring equipment to obtain meaningful and representative noise readings and action to carry out if findings show an excess in expected noise levels (e.g. investigation works). Document must be submitted to NRW.

Summary

Based on the revised NMP (v4) being submitted, NRW accept the information provided meets the requirements of IC6.

END

^[1] The NMP proposes a 6 monthly noise monitoring scheduled given the current low risk associated with noise at the site and lack of noise complaints. However, given the noise impact assessment concluded noise rating levels greater than 10dB above background, more extensive monitoring may be required, especially if there are noise complaints received. It is however noted that noise improvements are planned for site in Q1 2025

which should improve noise levels being generated from site.

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 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
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

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

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

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

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.