

Compliance Assessment Report CAR_NRW0046205

Permit being assessed: WP3231NB.

For: The Creamery , **held by:** Dairy Partners (Cymru Wales) Limited

At: Aberarad, Newcastle Emlyn, Carmarthenshire, SA38 9DQ.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: Annual Return Submissions 2024 - Emissions and monitoring, Information.

NRW Lead Officer: Alex Bowder.

Report sent to: Ashton Daniels, Operations Manager, on 11/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	Assessed (A)	
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	Assessed (A)	
IR4B - Installations - Information - Reporting	Assessed (A)	
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.5.1

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

Total non-compliances recorded	Total non-compliance score
1	4

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
IR3E	Ensure all future monitoring and assessments are conducted within the periods required by permit condition 3.5.1.	11/03/2025

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

This Compliance Assessment Report (CAR) has been issued in response to the submission of the annual monitoring returns 2024 (1 January - 31 December) by Dairy Partners (Cymru Wales) Ltd (the operator) for activities at The Creamery, Aberarad, Newcastle Emlyn SA38 9DQ under Environmental Permit EPR-WP3231NB.

This compliance assessment was undertaken by NRW Officers on 11 February 2025. However, to ensure that the CCS score is attributed to the correct financial year (for billing) the date on CARS has been altered to 31 December 2024.

Annual Monitoring Returns 2024

The following documents were submitted by the operator to NRW on 30 January 2025 as part of the annual monitoring returns 2024:

- Air1 / 09/03/2023
- Water1 / 09/03/2023
- WaterUseage1 / 09/03/2023
- Energy1 / 09/03/2023
- Performance1 / 09/03/2023

Air1 / 09/03/2023

The operator has declared that it monitored its air emissions to point A1 between 10 January 2024 and 7 January 2025 with a sample date of 7 January 2025, which is outside the 2024 reporting window required by the permit.

Table S3.1 states that A1 emissions to air are required to be monitored annually with the reporting period beginning on 1 January. The operator has failed to monitor this emission parameter within the specified 2024 period, which is non-compliant with permit condition 3.5.1. This non-compliance has scored a **Category 3** breach.

Permit condition 3.5.1 requires the operator to:

The operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake the

monitoring specified in the following tables in schedule 3 to this permit:

a. point source emissions specified in tables S3.1 and S3.2

In accordance with NRW's compliance scoring guidance, a non-compliance score of **C3** has been recorded against sub-criteria IR3E.

C3 PERMIT BREACH

IR3E - Emissions and monitoring

Condition 3.5.1

Action

Ensure all future monitoring and assessments are conducted within the periods required by permit condition 3.5.1.

Water1 09/03/2023

The operator is required to report its Mercury and Cadmium emissions to W1 annually. The data submitted represents compliance with the annual permit limits in Table S3.3.

Based on the data submitted by the operator, all other emissions at the monitoring points appear compliant with the specified limits over the 2024 reporting period.

WaterUseage1 / 09/03/2023

The operator has declared the water used for 2024 to be 244,428 m³.

Energy1 / 09/03/2023

The data submitted represents compliance with the permit.

Performance1 / 09/03/2023

The data submitted represents compliance with the permit.

Compliance summary

1. The operator has submitted its annual monitoring returns to NRW within the reporting period specified in condition 4.2.2 of the permit. This represents compliance.
2. The operator has failed to take an annual sample for emissions to air in the required reporting period for 2024 specified in condition 3.5.1 of the permit. This is non-compliant and has scored a **Category 3** breach.
3. Based on the reports submitted by the operator, the monitoring data is within the emission limit values specified in the permit.

Alex Bowder
Senior Officer - Southwest Wales Industry Regulation
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END OF REPORT

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.