

Compliance Assessment Report CAR_NRW0046227

Permit being assessed: BV41771S.

For: Volac Felinfach, **held by:** Volac Whey Nutrition Limited

At: The Old Creamery, Felinfach, Lampeter , Ceredigion, SA48 8AG.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: Emissions & Monitoring, Reporting.

NRW Lead Officer: Rhydian Cox.

Report sent to: Health & Safety Lead, Health & Safety Lead, on 21/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Installations - Emissions and monitoring - Monitoring	C4 No impact (Suspended)	3.5.1
IR4B - Installations - Information - Reporting	C4 No impact	4.2.2(b)
IR3E - Installations - Emissions and monitoring - Monitoring	Action only (X)	
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	Assessed (A)	
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	Assessed (A)	
IR3E - Installations - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Installations - Information - Reporting	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
2	0.1

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	Once the data retrieval issue has been resolved, please supply the monitoring data for both A15 emission points as required by the permit.	11/04/2025
IR4B	Ensure the testing ports are compatible with the testing equipment, so monitoring can be undertaken within the correct reporting window as stated in the permit.	Already completed
IR3E	ACTION 1 - Engage with site officer to discuss requirements relating to the monitoring of both emission points A4 and A11. Discussions scheduled for site visit early April 2025. Changes to the permit may be required.	11/04/2025

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

Annual Monitoring Returns 2024

This Compliance Assessment Report (CAR) has been issued in response to the submission of the 2024 Annual Monitoring Returns by Volac Whey Nutrition Ltd (Volac) for activities at Volac Felinfach, The Old Creamery, Felinfach, Lampeter, Ceredigion, SA48 8AG under permit number EPR/BV4177IS.

Monitoring returns and reports for the following period(s) have been assessed in this CAR form:

- Reporting of emissions to air for the period from 01/01/2024 to 31/12/2024
- Reporting of emissions to water (other than sewer) and land for the period from 01/01/2024 to 31/12/2024
- Reporting of Emissions to Sewer for the period from 01/01/2024 to 31/12/2024
- Reporting of Water Usage for the year 01/01/2024 to 31/12/2024
- Reporting of Energy Usage for the year 01/01/2024 to 31/12/2024
- Reporting of other performance indicators for the period 01/01/2024 to 31/12/2024
- Reporting of Waste Disposal and Recovery for the year 01/01/2024 to 31/12/2024

This CAR was undertaken on 21 February 2025. However, to ensure that the CCS scoring is attributed to the correct financial year (for billing) the date on the CARS has been altered to 31 December 2024.

Compliance Assessment

Table S4.1 (Schedule 4(b)) of the permit states that the 12 month reporting period for emissions to air begins on 1 January. The 12 month reporting period for emissions to sewer, effluent treatment plant or other transfers off-site begins on 1 January. The 12 month reporting period for emissions to water begins on 1 January. Schedule 3(b) emissions and monitoring effective from 4 December 2023.

The 2024 monitoring returns were submitted to NRW by Volac on the 28 January 2025 in compliance with permit condition 4.2.2.

Emissions to Air

The operator submitted the *Reporting of emissions to air for the period from 01/01/2024 to 31/12/2024* in the agreed reporting format (Form Number: Air1 /04/12/2024). With the exception of the emission points listed below, data provided for all other emissions points within Emission Limit Values stated within the permit.

No data has been provided for 5B Carbon Monoxide (CO) from both emission points A15a (Boiler 1) and A15b (Boiler 2). Following the sampling, an issue was identified when attempting to extract the data. The operator requested an extension to the deadline. A revised deadline of 5/02/2025 was agreed by the site officer.

A further update from the operator was supplied on 11/02/2025:

'Whilst trying to retrieve the hourly CO data from the Polytechnik computer within the control room, it was observed that the CO hourly figure is incorrect. The figure is lower than the taken figures which were obtained during the recent QUAL2 testing on the stack, points A15a and A15b. Due to this issue, we have engaged with the OEM of the plant (Polytechnik) and the manufacturer of the CEMS equipment (ABB). Arrangements have been made for ABB to attend site and resolve the issue and provide a report.'

The results from the periodic monitoring carried out in December 2023 and November 2024 are as follows:

<i>Monitoring Point</i>	<i>December 2023</i>	<i>November 2024</i>	<i>Limit</i>
<i>A15a (boiler 1)</i>	<i>52.9mg/m3</i>	<i>60.5mg/m3</i>	<i>150mg/m3</i>
<i>A15b (boiler 2)</i>	<i>53.5mg/m3</i>	<i>57.8mg/m3</i>	<i>150mg/m3</i>

Volac have been issued with a C4 (Suspended score) for the failure to carry out the required monitoring as detailed in condition 3.5.1 of the permit. Scored in accordance with NRW's compliance scoring guidance, against sub-criteria IR3E. This score has been suspended as the operator is actively seeking to address the issue and will provide the required data once the contractor has resolved the issue. Please endeavour to supply the required data by 11 April 2025.

No data has been provided for emission point A4. The operator has stated that this emission point is related to an out of commission foods dryer.

No data has been provided for emission point A11. The operator provided the following justification: *'This unit is a Reverse Jet unit (Dust Control Equipment) on top of a silo to stop powder escaping when being blown into the silo – no general volumetric through put present – the unit has planned inhouse maintenance on it to ensure effective and not leaking, along with a differential pressure gauge to show when bags are blinding up'*. The

operator has requested to discuss the monitoring requirement for this emission point.

ACTION 1 - Engage with site officer to discuss requirements relating to the monitoring of both emission points A4 and A11. Discussions scheduled for site visit early April 2025. Changes to the permit may be required.

No data has been provided for emission point A20. The operator has stated that the test has been delayed due to issues with the test port. The ports were replaced (December 2024) and the operator is actively securing a test date from the external testing company. This test will be done as a standalone and then repeated later in 2025 to align with all other annual check requirements.

Volac have been issued with a C4 for the failure to supply the required monitoring data within the reporting period detailed in condition 4.2.2(b) of the permit. Scored in accordance with NRW's compliance scoring guidance, against sub-criteria IR4B.

Emissions to Water

The operator submitted the *Reporting of emissions to water (other than sewer) and land for the period from 01/01/2024 to 31/12/2024* in the agreed reporting format (Form Number: Water1 / 16/03/2022). Monthly inspections of both W1 and W2 outfalls indicate that all inspected discharges were free from visible solids, oil and grease. All reporting parameters within Emission Limit Values stated within the permit - No exceedances reported.

Emissions to Sewer

The operator submitted the *Reporting of emissions to to sewer for the period from 01/01/2024 to 31/12/2024* in the agreed reporting format (Form Number: S1 / 16/03/2022). All reporting parameters within Emission Limit Values stated within the permit - No exceedances reported.

Performance Reports

Condition 4.2.3 of the permit states that reports on the performance of the activities over the previous year shall be submitted to NRW by 31 January. The operator submitted the 2024 annual performance reports on 28 January 2025 in the agreed reporting forms in line with condition 4.2.2(c).

Water Usage

Reporting of 2024 annual water usage for the site has been submitted to NRW in line with table S4.3, in the agreed reporting format (Form Number: WU1 / 01/04/05). The report highlights the total water usage from both mains water and the site borehole for 2024, alongside the data trend from previous years. No issues noted.

Energy Usage

Reporting of 2024 annual energy usage has been submitted to NRW in line with table S4.3, in the agreed reporting format (Form Number: Energy1 / 28/08/07). Breakdown of the data by energy source (inc. Electricity, LNG, Kerosene, Ultra35 (Gasoil Substitute), and Biomass wood. No issues noted.

Performance Indicators

Reporting of 2024 annual production/treatment has been submitted to NRW in line with table S4.2, in the agreed reporting format (Form Number: Performance 1 / 16/03/2022).

Breakdown provided for each of the three dryers. No issues noted.

Waste Disposal and Recovery

Reporting of Waste Disposal and Recovery for the year 01.01.24 to 31.12.24 has been submitted to NRW in line with table S4.3, in the agreed reporting format. The report highlighted totals for Hazardous and Non-Hazardous waste disposed and recovered for 2024, alongside the data trend for previous years. No issues noted.

END

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.